

# NAVAL POSTGRADUATE SCHOOL

## Monterey, California



## THESIS

**JAPAN'S CONSTITUTION, PROSPECTS FOR CHANGE:  
IMPACT ON U.S. PRESENCE IN JAPAN**

by

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June 2001

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## Form SF298 Citation Data

<b>Report Date</b> <i>("DD MON YYYY")</i> 15 Jun 2001	<b>Report Type</b> N/A	<b>Dates Covered (from... to)</b> <i>("DD MON YYYY")</i>
<b>Title and Subtitle</b> JAPANS CONSTITUTION, PROSPECTS FOR CHANGE: IMPACT ON U.S. PRESENCE IN JAPAN		<b>Contract or Grant Number</b>
		<b>Program Element Number</b>
<b>Authors</b>		<b>Project Number</b>
		<b>Task Number</b>
		<b>Work Unit Number</b>
<b>Performing Organization Name(s) and Address(es)</b> Naval Postgraduate School Monterey, CA 93943-5138		<b>Performing Organization Number(s)</b>
<b>Sponsoring/Monitoring Agency Name(s) and Address(es)</b>		<b>Monitoring Agency Acronym</b>
		<b>Monitoring Agency Report Number(s)</b>
<b>Distribution/Availability Statement</b> Approved for public release, distribution unlimited		
<b>Supplementary Notes</b>		
<b>Abstract</b>		
<b>Subject Terms</b>		
<b>Document Classification</b> unclassified		<b>Classification of SF298</b> unclassified
<b>Classification of Abstract</b> unclassified		<b>Limitation of Abstract</b> unlimited
<b>Number of Pages</b> 108		

# **JAPAN'S CONSTITUTION, PROSPECTS FOR CHANGE: IMPACT ON U.S. FORCE PRESENCE IN JAPAN**

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Constitutional research committees in both the upper and lower houses of the Japanese Diet have begun discussing Article 9 of Japan's constitution. Japan traditionally has interpreted this article as prohibiting collective defense, including joint military operations with U.S. forces and collective security activities like UN peacekeeping operations. These discussions respond to changes in the security environment surrounding Japan, where collective self-defense is becoming increasingly vital.

This thesis suggests that it is not a matter of if but when Japan will revise or reinterpret its constitution to authorize Japanese forces to participate in collective defense. To support this argument, it analyzes the evolutionary process Japan has pursued since the end of the Cold War to become a "normal" country.

For Japan to become a "normal" country, it must implement significant economic and political reform. Based on this requirement this thesis evaluates the prospects for change by analyzing the internal and external forces driving Japan to revise its constitution. It then discusses various approaches and policy options Japan may pursue. It evaluates the most probable approach Japan may take and the impact such an approach may have on U.S. force structure in Japan.

Finally, this thesis presents the U.S. debate over forward basing versus forward presence to assess the approach the United States should take toward force structure in Japan. This thesis argues in favor of Japan becoming an equal partner in the U.S.-Japan alliance. It concludes with recommendations on how the United States should respond and suggests several approaches the United States should take toward Japan, arguing that it is in both the United States' and Japan's interest for it to assume an equitable burden sharing role in the U.S.-Japan relationship.

**DoD KEY TECHNOLOGY AREA:** Other (U.S. Foreign Policy)

**KEYWORDS:** Japan, Constitution, U.S.-Japan Alliance, Force Structure, Forward Presence, Forward Basing

<b>REPORT DOCUMENTATION PAGE</b>			<i>Form Approved OMB No. 0704-0188</i>	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.				
<b>1. AGENCY USE ONLY (Leave blank)</b>		<b>2. REPORT DATE</b> June 2001	<b>3. REPORT TYPE AND DATES COVERED</b> Master's Thesis	
<b>4. TITLE AND SUBTITLE:</b> Japan's Constitution, Prospects For Change: Impact on U.S. Presence in Japan			<b>5. FUNDING NUMBERS</b>	
<b>6. AUTHOR(S)</b> Stephen E. Duke				
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> Naval Postgraduate School Monterey, CA 93943-5000			<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>	
<b>9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> N/A			<b>10. SPONSORING / MONITORING AGENCY REPORT NUMBER</b>	
<b>11. SUPPLEMENTARY NOTES</b> The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.				
<b>12a. DISTRIBUTION / AVAILABILITY STATEMENT</b> Approved for public release; distribution is unlimited.			<b>12b. DISTRIBUTION CODE</b>	
<b>13. ABSTRACT (maximum 200 words)</b>  <p>Constitutional research committees in both the upper and lower houses of the Japanese Diet have begun discussing Article 9 of Japan's constitution. Japan has traditionally interpreted this article as prohibiting collective defense, including joint military operations with U.S. forces and collective security activities like UN peacekeeping operations. These discussions respond to changes in the security environment surrounding Japan, where collective self-defense is becoming increasingly vital.</p> <p>This thesis suggests that it is not a matter of if but when Japan will revise or reinterpret its constitution to authorize Japanese forces to participate in collective defense. To support this argument, it analyzes the evolutionary process Japan has pursued since the end of the Cold War to become a "normal" country.</p> <p>For Japan to become a "normal" country, it must implement significant economic and political reform. Based on this requirement this thesis evaluates the prospects for change by analyzing the internal and external forces driving Japan to revise its constitution. It then discusses various approaches and policy options Japan may pursue. It evaluates the most probable approach Japan may take and the impact such an approach may have on U.S. force structure in Japan. Finally, this thesis presents the U.S. debate over forward basing versus forward presence to assess the approach the United States should take toward force structure in Japan. This thesis argues in favor of Japan becoming an equal partner in the U.S.-Japan alliance. It concludes with recommendations on how the United States should respond and suggests several approaches the United States should take toward Japan, arguing that it is in both the United States' and Japan's interest for it to assume an equitable burden sharing role in the U.S.-Japan relationship.</p>				
<b>14. SUBJECT TERMS</b> Japan, Constitution, U.S.-Japan Alliance, Force Structure, Forward Presence, Forward Basing			<b>15. NUMBER OF PAGES</b> 101	
			<b>16. PRICE CODE</b>	
<b>17. SECURITY CLASSIFICATION OF REPORT</b> Unclassified	<b>18. SECURITY CLASSIFICATION OF THIS PAGE</b> Unclassified	<b>19. SECURITY CLASSIFICATION OF ABSTRACT</b> Unclassified	<b>20. LIMITATION OF ABSTRACT</b> UL	

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requirements for the degree of

**MASTER OF ARTS IN NATIONAL SECURITY AFFAIRS**

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## **ABSTRACT**

Constitutional research committees in both the upper and lower houses of the Japanese Diet have begun discussing Article 9 of Japan's constitution. Japan has traditionally interpreted this article as prohibiting collective defense, including joint military operations with U.S. forces and collective security activities like UN peacekeeping operations. These discussions respond to changes in the security environment surrounding Japan, where collective self-defense is becoming increasingly vital.

This thesis suggests it is not a matter of if but when Japan will revise or reinterpret its constitution to authorize Japanese forces to participate in collective defense. To support this argument, it analyzes the evolutionary process Japan has pursued since the end of the Cold War to become a "normal" country.

For Japan to become a "normal" country, it must implement significant economic and political reform. Based on this requirement, this thesis evaluates the prospects for change by analyzing the internal and external forces driving Japan to revise its constitution. It then discusses various approaches and policy options Japan may pursue. It evaluates the most probable approach Japan may take and the impact such an approach may have on U.S. force structure in Japan.

Finally, this thesis presents the U.S. debate over forward basing versus forward presence to assess the United States approach toward force structure in Japan. This thesis suggests that Japan should become an equal partner in the U.S.-Japan alliance. It concludes with recommendations on how the United States should respond and suggests several approaches the



## TABLE OF CONTENTS

<b>I.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
<b>II.</b>	<b>HISTORY/BACKGROUND.....</b>	<b>7</b>
<b>A.</b>	<b>WORLD WAR II AND U.S. OCCUPATION OF JAPAN.....</b>	<b>7</b>
<b>B.</b>	<b>ANALYSIS OF RECENT EVENTS AND CURRENT SITUATION.....</b>	<b>10</b>
<b>C.</b>	<b>EVOLUTION OF JAPANESE PARTY POLITICS .....</b>	<b>14</b>
1.	The First Party System .....	14
a.	<i>Electoral System</i> .....	16
b.	<i>Factions</i> .....	17
c.	<i>Interest Groups</i> .....	18
d.	<i>Bureaucracy</i> .....	19
2.	The Second Party System/The Transformation .....	21
a.	<i>Electoral System</i> .....	22
3.	Changing Political Landscape.....	23
4.	Party Views on Japan’s Constitution .....	25
<b>D.</b>	<b>PROPOSALS FOR CONSTITUTIONAL CHANGE .....</b>	<b>28</b>
<b>E.</b>	<b>CONCLUSION.....</b>	<b>30</b>
<b>III.</b>	<b>CHANGE VS. STATUS QUO.....</b>	<b>33</b>
<b>A.</b>	<b>JAPAN’S INTERESTS.....</b>	<b>33</b>
<b>B.</b>	<b>UNITED STATES INTERESTS .....</b>	<b>36</b>
<b>C.</b>	<b>DEFENSE GUIDELINES ANALYSIS .....</b>	<b>37</b>
<b>D.</b>	<b>THE NEED FOR REFORM.....</b>	<b>43</b>
1.	Patriotism vs. Nationalism.....	45
2.	Centralized National Government vs. Local Prefecture Government...46	
3.	Cost/Benefit Analysis .....	46
<b>E.</b>	<b>CHALLENGES TO REFORM.....</b>	<b>47</b>
<b>F.</b>	<b>CONCLUSION.....</b>	<b>48</b>
<b>VI.</b>	<b>INTERNAL AND EXTERNAL CONTEXT FOR CONSTITUTIONAL REVISION .49</b>	
<b>A.</b>	<b>INTERNAL FORCES .....</b>	<b>50</b>
1.	Japan’s Economic Crisis.....	51
2.	Political Forces.....	52
3.	Changing Demographics .....	52
4.	Rising Nationalism .....	53
5.	Internal Forces Analysis .....	53
<b>B.</b>	<b>EXTERNAL FORCES .....</b>	<b>54</b>
1.	Rapidly Changing Political and Security Environment in Asia .....	54
2.	Future Scenarios That Could Drive Constitutional Revision .....	56
a.	<i>Korean Reunification</i> .....	56
b.	<i>Rising China</i> .....	56
c.	<i>Taiwan Crisis</i> .....	57
d.	<i>Resurgent Russia</i> .....	57
e.	<i>United States Pressure</i> .....	58

V.	POSSIBLE SCENARIOS FOR A REVISED CONSTITUTION.....	61
A.	MODIFIED STATUS QUO .....	61
B.	TOTAL REVISION OF CONSTITUTION .....	62
C.	REVISE CONSTITUTION AND MODIFY OR REINTERPRET ARTICLE 9.....	63
D.	PROSPECTS FOR CHANGE .....	63
VI.	POTENTIAL REGIONAL RESPONSES TO A REVISED CONSTITUTION.....	67
A.	CHINA.....	67
B.	THE KOREAS .....	68
C.	NORTHEAST ASIA SECURITY DILEMMA .....	68
D.	WESTERN PACIFIC REGIONAL RESPONSE .....	69
VII.	IMPLICATIONS OF CONSTITUTIONAL REVISION FOR JAPANESE DEFENSE POLICY AND U.S. FORCE STRUCTURE IN JAPAN.....	71
A.	JAPANESE DEFENSE APPROACHES AS A NORMAL COUNTRY.....	71
1.	Independent Approach .....	71
2.	Multilateral Approach .....	72
3.	Alliance Maintenance Approach.....	73
4.	Realist Approach .....	74
B.	POTENTIAL IMPACT ON U.S. FORCE STRUCTURE IN JAPAN.....	75
1.	Status Quo.....	76
2.	Withdraw All Forces From Japan .....	76
3.	Withdraw All Forces Except U.S. Navy .....	76
4.	Withdraw All Forces Except Air Force.....	77
5.	Withdraw All Marines From Japan.....	77
6.	Withdraw All Marines from Okinawa .....	78
C.	THE MOST PROBABLE APPROACH AND IMPACT .....	79
VIII.	CONCLUSION.....	81
A.	INDICATORS OF JAPAN AS A NORMAL COUNTRY .....	81
B.	FORWARD BASING VS. FORWARD PRESENCE DEBATE .....	82
1.	The GAO Report .....	83
2.	The Rand Report.....	84
2.	Bush Administration Prospects .....	85
D.	RECOMMENDED U.S. APPROACH TOWARD JAPAN .....	85
	LIST OF REFERENCES .....	89
	INITIAL DISTRIBUTION LIST .....	93

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## **EXECUTIVE SUMMARY**

It has been over fifty years since Japan adopted its pacifist constitution, and since that time it has not made a single constitutional revision. As a result, Japan's defense and foreign policies remain tied directly to its paternal relationship with the United States under the 1960 U.S.-Japan Mutual Security Treaty. In February 2000 constitutional research committees in both the upper and lower houses of the Japanese Diet began discussing Article 9 of the constitution, which has traditionally been interpreted as prohibiting collective defense, including joint military operations with U.S. forces and collective security activities like UN peacekeeping operations. As the security environment surrounding Japan changes, collective self-defense is becoming increasingly vital.

This thesis suggests that it is not a matter of if but when Japan will revise or reinterpret its constitution to authorize Japanese forces to participate in collective defense. To support this argument, it analyzes the evolutionary process Japan has pursued since the end of the Cold War to become a "normal" country. It shows that a series of events and external shocks have spurred Japan to begin transition toward becoming a "normal" country with the ability to exercise collective defense.

This thesis examines the evolution of party politics in Japan as it has affected Japan's quest to become a truly normal country and pursue the necessary and significant economic and political reforms to do so. Additionally, it analyzes the 1997 Defense Guidelines, evaluates the need for reform, and proposes some reasons why reform will be difficult. Based on the need for reform, the thesis evaluates the prospects for change by analyzing the internal and external forces

driving Japan to revise its constitution. It then discusses various policy options Japan may pursue toward becoming an ordinary country, and the various approaches and policy options Japan may pursue. It argues Japan will take a realist approach, supporting its alliance with the United States but also assuming a more independent role within the alliance. Such an approach will involve a reduction of some U.S. forces in Japan. Based on this probable approach and its impact on U.S. force structure, this thesis provides indicators for determining when Japan will achieve status as an independent nation capable of developing and implementing its own foreign and defense policies.

Finally, it assesses arguments in the U.S. debate over forward basing versus forward presence. This thesis argues in favor of Japan becoming an equal partner in the U.S.-Japan alliance. It concludes with recommendations on how the United States should respond to Japan and recommends several approaches the United States should take toward Japan, arguing it is in both the U.S. and Japan's interest for it to assume an equitable burden sharing role in the U.S.-Japan security relationship.

## **ACKNOWLEDGMENTS**

I would like to thank Professor Edward A. Olsen for his mentoring and assistance in the completion of this thesis. His vast knowledge of the Asia-Pacific region helped to shape my thoughts and provide a balanced approach to my research. I also want to thank Professor H. Lyman Miller for his critical review of this thesis and for his assistance in teaching how to conduct critical analysis and present ideas in a clear concise manner.

Interviews conducted with Ralph Cossa at Pacific Forum, CSIS and Dr. Michael Green at the National Security Council provided me insightful feedback on questions related to my thesis and helped to clarify issues related to U.S.-Japan relations. Additionally, Mr. Robin Sakoda, former Japan Desk Officer, at OSD and now an independent analyst, provided great insight into the review of the 1996-1997 Defense Guidelines negotiations and much needed guidance on the approach to this thesis. I am extremely grateful for each of these analysts and authors' generous time and professional support.

I want to thank my wife Melissa and daughters Morgan and Micah for their patience and support in allowing me the many hours devoted to the completion of this thesis. Last, I want to thank my mother and father, Mary Lou and Melvin E. Duke, for their faithful prayers which sustained me through many sleepless nights of research and typing.

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## I. INTRODUCTION

Japan today is a nation in transition. The “Japan” America has known since the end of World War II is a pacifist state, shielded against the problems of geopolitics by its relationship with the United States and inclined to recoil from exercising its right to sovereignty and independence. Many of Japan’s neighbors, especially China and Korea, would argue that there is a veiled Japan not so easily seen which remains largely a remnant of the pre-war traditional order. That Japan retains many of the attributes that enabled the rise of the fascist regime in the 1930s which led the country to its ultimate defeat and unconditional surrender in World War II. It is this version of Japan that continues to worry its Asian neighbors and is the target of reform in Japan today.

One reform targeted is the revision of Japan’s Constitution and Article 9. Dr. Michael Green notes that after years of cautious behavior on the international scene and controversial domestic debate about security policy a broad consensus is emerging that Japan should assert its national interest more forcefully and become a more “normal nation.”<sup>1</sup> Additionally, the 2001 Armitage-Nye report pointed out that

Japan is experiencing an important transition. Driven in large part by the forces of globalization, Japan is in the midst of its greatest social and economic transformations since the end of World War II. Japanese society, economy, national identity, and international role are undergoing change that is potentially as fundamental as that Japan experienced during the Meiji restoration.<sup>2</sup>

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<sup>1</sup> Michael J. Green, “Japan the Forgotten Player”, *The National Interest*, No. 60 Summer 2000, p. 43.

<sup>2</sup> Richard L. Armitage, et al., INSS Special Report, “The United States and Japan: Advancing Toward a Mature Partnership” see <<http://www.ndu.edu/ndu/SR.JAPAN.HTM>>, 11 October 2000, p. 2.



A debate is under way, both in Japan and in nations around the world, about the role Japan should play in international affairs. Some argue that Japan should do more, given its position as one of the world's leading economic powers. The worst-case scenario, according to some, is that Japan might become independently aggressive and militaristic.<sup>3</sup> As Japan seeks greater respect and political influence in the region and the international community, it sees the need to take a greater role in U.N. operations and participate not only politically and economically but militarily as well. To do this effectively, Tokyo sees the need for reform domestically, including revising its constitution.

This thesis argues that it is not a matter of if but when Japan will revise its current peace constitution to revise Article 9 and make Japan a normal nation capable of collective defense and meeting the responsibilities of a true alliance. It supports this argument by assessing the political and domestic trends taking shape in Japan that may affect constitutional revision. Additionally, it will address some of the political reforms necessary for Japan to revise its constitution and analyze the internal and external context driving Japan to revise its constitution. Presuming the inevitability of constitutional revision, it evaluates approaches Japan may take toward a revised constitution. Additionally, it will outline the impact a normal Japan may have on Japanese security policy in the region and U.S. force structure in Japan. Some of the basic questions it will seek to answer are:

- What impact will a revised constitution have on Japan's and U.S. defense policy in Asia?
- Is there really a need for revision of Article 9 or can it just be reinterpreted?
- What are the internal and external factors that are driving Japan to revise its constitution?

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<sup>3</sup> Takahashi Inoguchi, *Japan's Foreign Policy in an Era of Global Change*, New York, St. Martins Press, 1993, p. 39.

- How might the constitution be revised to meet changing Japanese national security objectives?
- How will the rest of Asia respond to a normal Japan?
- What impact might a revised constitution have on U.S. military force structure in Japan?
- How should the United States respond when Japan revises its constitution?

These questions are important because the answers may allow Japan and the United States to take a pro-active rather than a reactive approach to their mutual security relationship that strengthens and enhances it. For Japan and the United States to sustain and enhance the alliance in the 21<sup>st</sup> century, they must reshape the bilateral relationship in a way that anticipates the consequences of the changes now taking place in Japan and the Asia Pacific region.<sup>4</sup>

The methodology used in this thesis is a case study on the evolution of the U.S.-Japan security alliance and the events that have brought about significant change in Japan during the past decade. Additionally, it analyzes the opinions of experts on Japan-U.S. relations obtained from books, official reports, and interviews.

The thesis begins with a brief historical review of the U.S.-Japan alliance and how Japan obtained its pacifist constitution. It charts the evolution of the U.S.-Japan relationship from post-World War II through the end of the Cold War and down to the current relationship under the U.S.-Japan Joint Declaration on Security signed in 1996 at the Clinton-Hashimoto summit. The first chapter highlights some of the domestic political changes that have taken place in Japan. It begins by first outlining the evolution of party politics in Japan. It notes there have been two party systems in post-World War II Japanese national politics: the first party system of 1955 and the second party system of 1993. It will outline the evolution of the first party system and the role interest groups, factions, and bureaucracies have played and continue to play in government.

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<sup>4</sup> Armitage, et al., p. 2.

It then discusses the second party system and the rise of coalition government and reviews the shift in Japan's political landscape. It evaluates the impact coalition government has had on Japan since 1993 and its prospects for the future. Additionally it looks at each party's platform regarding constitutional revision in an effort to show that consensus within the government is emerging regarding a revision of the constitution. In general, the analysis shows that Japanese politics is in a state of transition needing leadership. Until a strong charismatic leader capable of developing consensus among the people and within the government is elected, no real reform will take place and Japan will continue to muddle through. The intent of the first chapter is to chart the evolutionary changes taking place in Japan and show the impact domestic politics has had on security policy. It seeks to support the argument that consensus is building in Japan for constitutional revision as well as analyze what form constitutional revision may take.

The second chapter discusses why it is in both the U.S. and Japanese interest for Japan to revise the constitution to authorize collective defense. It supports this argument by analyzing the strengths and weaknesses of the current relationship under the 1999 revised defense guidelines. It looks specifically at the New Defense Guideline policy and legislation and its implications for reform. Analysis of the Defense Guidelines reveals that, by themselves, they are not enough to enable Japan to establish a genuinely reciprocal relationship with the United States. They fall short of their intended objective, and a revised constitution is needed for them to be truly effective. It argues that the Defense Guidelines in some respects stimulated debate concerning revision of the constitution. Analysis then focuses upon the need for reform and looks briefly at the Armitage-Nye report. It underscores the need for increased power of the prime minister and central government, and it also discusses the Cabinet Legislative Bureau and its role in

constitutional reform. It concludes with a cost/benefit analysis of the advantages and disadvantages of a revised constitution.

The third chapter evaluates the domestic and external factors that are driving Japan to revise its constitution. Domestically, these include the impact of rising Japanese nationalism, changing demographics, domestic economic crisis, and changing political consensus. Externally, emerging and potential regional scenarios are increasing pressure on Japan to revise its constitution, such as a reunified Korea and a rising militaristic China.

Chapter IV examines the potential regional responses a revised Japanese constitution could provoke. Specifically, it evaluates the probable responses from China, Korea, Russia, and Southeast Asia.

Given the probability that Japan will eventually revise its constitution to allow for collective defense, Chapter V evaluates possible scenarios for a revised constitution. Chapter VI looks at the various reactions from the region resulting from constitutional revision. Chapter VII analyzes the impact a revised constitution would have on Japanese defense policy as well as on U.S. force structure in Japan. This chapter outlines the potential security approaches Japan could take with a revised constitution and highlights the most likely approach Japan will take toward constitutional revision. Based on this assessment it shows how U.S. force structure in Japan may be affected.

Chapter VIII concludes by discussing the various arguments regarding forward basing versus forward presence and reviews policy options for dealing with the changing regional security environment in Asia. Finally, it will provides recommendations for U.S. approaches toward Japan.

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## **II. HISTORY/BACKGROUND**

### **A. WORLD WAR II AND U.S. OCCUPATION OF JAPAN**

The United States achieved its strategic objective in the Pacific during World War II with the total defeat and unconditional surrender of Japan. Japan's surrender left it completely at the mercy of the United States. In 1947, Japan ratified the peace constitution, whose Article 9 renounced war and pledged that Japan would never maintain the ability to wage war again. Japan's new democracy would be defended by the might of its conqueror, the United States. The American-imposed constitution humiliated some Japanese, but many were so weary of war that they gladly accepted pacification.<sup>5</sup>

At the national security level, Japan's political leadership signed the peace treaty in 1951 with the intent of becoming at some point an independent nation. However, Japan was totally demoralized in defeat and even gave up its right of self-defense. At the time, the U.S.-Japan security treaty, that made the U.S. responsible to ensure Japan's national security was necessary for the Japanese to accept even a passive role in their own national security affairs. From the U.S. perspective, the security treaty initially provided the means first to implement the Potsdam declaration, and later to secure a bridgehead against the communist threat in Asia.<sup>6</sup>

At the economic level, World War II reduced Japan to poverty, and the initial phase of the occupation did nothing to seriously repair the situation. On October 9, 1948, President Truman issued NSC 13/2, which authorized an end to the first (punishment) phase of the occupation and focused attention on a new goal: "To ready democratic Japan for entry into the

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<sup>5</sup> Robert B. Edgerton, *Warriors of the Rising Sun*, W.W. Norton and Company, New York, 1999, p. 325.

<sup>6</sup> George Friedman and Meredith Lebard, *The Coming War with Japan*, St. Martin's Press, New York, 1991, p. 104.

free world's community of nations as a self-supporting trading partner.”<sup>7</sup> When the occupation entered into its second phase, which the Japanese now call the “reverse course,” virtually all reform was halted. Reparations were suspended and zaibatsu-busting laws were rescinded. The U.S. began to focus on rebuilding Japan.<sup>8</sup> Her economy shattered, her military gone, Japan watched cautiously as the Soviet Union tested its own nuclear weapons as the Cold War erupted. The outbreak of the Korean War in 1950 brought the danger close to Japan, but it also re-energized Japan's shattered economy as the U.S. military returned in force to the Far East with a need for labor and supplies. The Korean War instantly demonstrated that America's insistence on a demilitarized Japan was flexible. MacArthur not only ordered Japan to form a police reserve force, the precursor to its Self-Defense Force (SDF); he also asked the Japanese to use their surviving small naval and coast guard vessels to sweep mines off the Korean coast, an assignment carried out quietly throughout the war. By 1952, Japan's defense forces had expanded to 110,000 men, and the U.S. provided them with tanks, artillery, frigates, landing ships, and light aircraft.<sup>9</sup> The JSDF would continue to grow in size and capability at the behest of the United States. Throughout the Cold War, Japan passively provided vital base support for U.S. forces fighting communism, first in Korea and later in Vietnam, and for the containment of the Soviets. Japan took advantage of the security provided by the United States and its nuclear shield to actively concentrate its expanding resources on rapid economic development.

Throughout the post-war and Cold War periods, Japan's security policy depended on the United States to maintain its national security. In fact, during that time Japan steadfastly refused U.S. pressure to rearm in the certainty that, for the sake of its own national interests, the United

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<sup>7</sup> Ibid., pp. 104-105.

<sup>8</sup> Patrick Smith, *Japan, A Reinterpretation*, Pantheon Books, New York, 1997, p. 75.

<sup>9</sup> Robert B. Edgerton, p. 326.

States would protect Japan without regard to the level of Japan's own defense efforts. With such firmly held beliefs, there was no need for Japanese national awareness on security issues. However, the Japanese are increasingly aware that the situation has changed. With the end of the Cold War, the United States had continued to protect Japan only as long as doing so remains in the U.S. national interest—the United States can abrogate the relationship at anytime. The United States has already made demands that Japan foot a large part of the expense incurred by its stationing U.S. forces in Japan and that Japan provide active cooperation from the Self Defense Forces (SDF). The question is, how will Japan cope with these changing circumstances? For the Japanese to establish an independent defense policy, the Constitution imposed by the occupation to demilitarize Japan must be revised. The ruling LDP has said, “We are engaged in debate along with the public to determine what our Constitution should be for the new era.”<sup>10</sup>

Today, Japan's essential strategic problem is the clash between its regional security needs and its broader, worldwide economic interests. All nations must think about their physical security. For Japan, that means thinking about matters close to home in ways it is not accustomed to—securing the waters around Japan, the Korean Peninsula, and the near coast of Asia, matters that would concern a normal nation. But Japan is no ordinary nation. Though it has the world's second largest economy, it occupies a series of islands too small to sustain it. To compete with the United States and Europe, Japan needs to secure markets and resources abroad as the other two have.<sup>11</sup> However, as things now stand, Japan's markets and resources are located far away, across waters controlled by the United States. Japan's first hope is to maintain

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<sup>10</sup> Yoichi Toyoda, “Collective Self-Defense Concept Under New Scrutiny”, Tokyo Shimbun, June 9, 1997, Morning edition, p. 1.

<sup>11</sup> Friedman and Lebard, p. 286.



its present relationship with the United States. At the same time, prudence requires preparing for the worst. Thus, Japan's strategy must include searching for alternatives to lessen its dependence on America.<sup>12</sup> Clearly, the pacifist constitution that the United States imposed upon Japan after World War II poses a dilemma for both the United States and Japan. The United States desires to see Japan take a greater military role in maintaining peace and security in the region and avail itself of the opportunity to participate in collective defense if and when the need arises. But to do so means revising the constitution the United States imposed upon Japan, thus giving Japan a legitimate military which could pose a threat, either real or perceived, to other nations and create instability in the region. Japan on the other hand desires to be a normal nation with a legitimate military capable of defending its economic and political interest in the region. However, at the same time, it does not want to necessarily be independent of the United States and lose the nuclear shield it now enjoys.

## **B. ANALYSIS OF RECENT EVENTS AND CURRENT SITUATION**

In recent years, Japan has taken a series of steps to redefine its defense policies and its security relationship with the United States:<sup>13</sup>

- In 1992 the ruling Liberal Democratic Party (LDP) produced a report, *Japan's Role in the International Society*, which highlighted a consensus in the party that Japan should expand its participation in UN peacekeeping operations and demonstrate more assertive leadership on regional security issues.<sup>14</sup>
- In 1994 Prime Minister Morihiro Hosokawa's special Advisory Committee on Defense Issues produced a report calling for a tripartite defense policy based on:

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<sup>12</sup> Ibid.

<sup>13</sup> The following outline of events is based upon Michael J. Green's paper "State of the Field Report: Research on Japanese Security Policy" published by the National Bureau of Asian Research: Access Asia Review: Vol.2, No.1, see <<http://www.nbr.org/publications/review/vol2no1/essay.html>>

<sup>14</sup> LDP, "Kokusai Shakai ni okeru Nihon no Yakuwari: Anzen Hoshō Mondai ni kan Suru Teigen," (Japan's Role in the International Society: Proposals on Security Issues), February 3, 1993, see Ministry of Foreign Affairs of Japan Diplomatic Blue Book, 1997, Chapter I, <<http://www.mofa.go.jp/policy/other/bluebook/1997/1-a.html>> in English.

(1) utilization of multilateral security forums; (2) enhanced indigenous defense capabilities; and (3) the U.S.-Japan security relationship.<sup>15</sup>

- In 1995 the coalition government of socialist Prime Minister Tomiichi Murayama issued a revision of the 1976 National Defense Program Outline that shifted the scope of Japanese defense requirements from those capabilities necessary to "resist a small-scale limited invasion" to those necessary to respond to "situations in the area around Japan that have an effect on the security of Japan."<sup>16</sup>
- In 1996 President Clinton and Prime Minister Ryutaro Hashimoto announced a new Joint Security Declaration that reaffirmed the continuing importance of the U.S.-Japan alliance and the maintenance of U.S. forces in Japan and outlined an agenda for expanded defense cooperation, including: defense planning, research and development, missile defense, and diplomacy toward China.<sup>17</sup>
- In 1997 the U.S. and Japanese governments completed a revision of the 1978 Guidelines for Defense Cooperation, paving the way for new Japanese legislation and bilateral mechanisms designed to expand Japan's logistical and military role in the event of regional contingencies.<sup>18</sup>
- In 1998 North Korea launched a Taepodong missile over Japan. This drove Japan to begin research on TMD and increase intelligence sharing with the United States.
- In March 1999 the incursion by two North Korean spy ships into Japanese territorial waters highlighted the restraints of the current constitution and made clear the need for legislation to allow an effective and flexible response to incursions that may not constitute an armed invasion, and are unable to be dealt with by police alone. In this incident the Maritime SDF were sidelined while only Maritime Safety Agency (MSA) boats were allowed to pursue the spy ships until the government issued a maritime patrol operation order. By the time the order was issued the spy ship evaded capture. This incident highlighted the unnecessarily strict restraints imposed upon SDF operations by the nation's political system. As a result Maritime Intercept Operations (MIO) legislation was written and approved by the Diet in 2000. The incident also fueled further debate over the need to revise the constitution.<sup>19</sup>

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<sup>15</sup> Prime Minister's Advisory Group on Defense Issues, "The Modality of the Security and Defense Capability of Japan," August 12, 1994. See Patrick M. Cronin and Michael J. Green, *Redefining the U.S.-Japan Alliance: Tokyo's National Defense Program Outline*, McNair Paper 31, Washington, DC: Institute for National Security Studies, National Defense University, November.

<sup>16</sup> See *Defense of Japan 1997*, Tokyo: Japan Defense Agency, 1997.

<sup>17</sup> "Completion of the Review of the Guidelines for U.S.-Japan Defense Cooperation," U.S.-Japan Security Consultative Committee, New York, September 23, 1997.

<sup>18</sup> "Japan-U.S. Joint Declaration on Security-Alliance for the 21st Century," Tokyo, Japan, April 26, 1996.

<sup>19</sup> FBIS OW0405044399, Editorial: "Government is Urged to Protect National Security by Tight Defense System", Tokyo The Daily Yomiuri (Internet Version) in English 3 May 1999.

Throughout this period, the Japan Self-Defense Forces (JSDF) and the Japan Defense Agency (JDA) have steadily increased their policy role in Japan. The process began with the dispatch of Maritime Self-Defense Force minesweepers to the Persian Gulf in 1991 and Ground Self-Defense Forces to Cambodia for UN peacekeeping in 1992. Institutional enhancements have continued at home with the establishment of the Japan Defense Intelligence Headquarters in 1997 and a strategic planning unit in 1998. The JDA and JSDF have also initiated active defense diplomacy (exchanges, training, multilateral forums) with other militaries in East Asia.<sup>20</sup>

- On 25 August 1999 a Regional Contingency Security Law was passed which stipulated how Japan would respond and what assistance it would offer to U.S. forces if an emergency occurs in areas surrounding Japan.<sup>21</sup>
- In April 2000 Prime Minister Mori proposed legislation that would allow Japanese soldiers to carry weapons abroad and take part in U.N peacekeeping operations.<sup>22</sup>
- In April 2001 Prime Minister elect Koizumi vowed to seek changes to Japan's Constitution to allow the nation to organize a national military in place of the current Self Defense Force.<sup>23</sup>

These steps by the Japanese government have reinvigorated an analytical and policy debate about how long Japan's postwar constraints on remilitarization can or should survive. The debate begins with the question of how significant these recent policy developments are in themselves. Some analysts see them as evidence of an inevitable convergence of Japanese military and economic power, as the traditional political forces of Japanese pacifism collapse and the waning resources of the United States lead Japan to accept ever greater military responsibilities. Others see these moves by the Japanese government as ploys designed to shore-up the American defense commitment so that Japan can retain its traditional mercantilist

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<sup>20</sup> See *Defense of Japan 1999*, Tokyo: Japan Defense Agency, 1999.

<sup>21</sup> See *Defense of Japan 2000*, Tokyo: Japan Defense Agency, 2000.

<sup>22</sup> Michael Zielenger, Knight Ridder News Service, Philadelphia Inquirer, April 8, 2000

<sup>23</sup> Howard W. French, New York Times, April 28, 2001.

approach in the more fluid post-Cold War strategic environment. Still others see Tokyo's new defense policies as evidence of an emerging culture of strategic realism and, with it, an opportunity to finally bring greater agility to the U.S.-Japan alliance.

The process of "redefining" the U.S.-Japan alliance and Japanese security policy is still underway, and thus there is no definitive answer to the debate about how much can, will, or should change. Much will depend on the course of political realignment in Japan, the state of the Japanese economy, the status of U.S. security policy in Asia, and the behavior of North Korea and China.

After a weak performance during the Gulf War, a near-miss on the Korean Peninsula in 1994 (when the Japanese government could not assure the United States of its support in a possible war with North Korea over the North's nuclear program), and poor crisis management during the Kobe earthquake and the sarin gas attack on Tokyo's subway system in 1995, the 1998 North Korea missile launch and 1999 North Korea Mother Boat intrusion into Japanese territorial waters, the media, the government and politicianS--even the Socialists--are keenly aware of the inadequacies of the old defense policies. At the same time, Article 9 of the Japanese constitution, the three non-nuclear principles, and the other pillars of Japan's post-war pacifism are still firmly in place.<sup>24</sup>

However, on 21 January 2000, The Japanese Parliament announced it would begin a formal, five- year review of its Constitution. It established constitutional councils in both the House of Representatives and the House of Councilors. These councils are deliberating over whether or not the constitution should be revised and if so how. The announcement came days

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<sup>24</sup> Article 9 forswears warfare except in self-defense. The three non-nuclear principles state that Japan will not allow the deployment, development, or introduction of nuclear weapons.

after a panel of advisors to the Prime Minister recommended that the nation no longer sit content with “a course of unilateral pacifism”<sup>25</sup>

### **C. EVOLUTION OF JAPANESE PARTY POLITICS**

Given the events, changes and trends, which took place in Japan since the end of the Cold War, most would argue that Japan is well on the road to becoming a normal nation. However, until Japan achieves true political and economic reform, it will not have the strong foundation it needs to make the changes in its security and defense policy it so desires. Therefore, it is important to analyze Japan’s political system to gain an understanding of how domestic politics impacts defense and security policy. This analysis will first review the evolution of party politics in Japan and how the political system works. It will review the two party systems in post World War II Japanese national politics--the first party system of 1955 and the second party system of 1993. Then, it will show how the political arena is shifting toward greater consensus on most issues and addressing each party’s views regarding constitutional revision. The intent of this analysis is to show that political consensus is building in Japan for constitutional revision of Article 9 and to provide background on the political challenges which, until political reform is attained, will prevent revision of the constitution.

#### **1. The First Party System**

In 1946 when Japan returned to a democratic parliamentary system, confusion in party politics preceded the first postwar elections. The majority of the pre-war party Diet members had been purged by U.S. occupation authorities. Thus a new set of parties, and candidates were introduced, resulting in 267 parties participating in the first election. However, by 1955 most of these parties had gradually disappeared and a merger of conservative parties on one side and socialist parties on the other produced a de facto two-party system dominated by the Liberal

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<sup>25</sup> Stratfor Commentary, 25 January 2000, see <[www.stratfor.com/asia/commentary/m0001250135.htm](http://www.stratfor.com/asia/commentary/m0001250135.htm)>

Democratic Party (LDP) and the Japan Socialist Party (JSP). This de facto two-party system lasted two years. In 1960 the JSP split creating the Democratic Socialist Party (DSP). In addition, there was the Japan Communist Party (JCP), which by 1972 had 38 seats in the Diet. In 1964, the Komeito or Clean Government Party (CGP) was born and by 1969 had 47 seats in the Diet. By 1960, what some called a two-party system, but was more often referred to as a “one and one half party system” composed of the LDP and a splintered opposition JSP and small DSP, soon evolved to a multi-party system as the DSP, JCP, and CGP proved they could regularly win seats in the Lower House of the Diet (HR). By 1970 these five parties—the (LDP, JSP, DSP, CGP, and JCP--seemed to be permanent parts of the Japanese national political system. In 1976 the New Liberal Club (NLC) was established when a young Diet member led five other Diet members out of the LDP to create the party. This encouraged the establishment of other new parties, so that by the 1983 elections to the Upper House of Councillors (HC) twelve new small parties were on the ballot, which collectively won five seats. Though by this time Japan seemed to have a multi-party system, the reality was a one-party dominant system as the LDP maintained unbroken Lower House majorities from its founding in 1955 until its collapse in 1993. The single party rule by the LDP from 1955-1993 is the main characteristic of the First Party System.<sup>26</sup>

Another characteristic which still remains today is what is often called “Japan Inc.,” a cooperative decision-making process between the LDP, the bureaucracy, and large business corporations in which these three actors worked together in concert to achieve their own interests.<sup>27</sup> Japan Inc. and its role will be discussed in detail later. However, it is important to

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<sup>26</sup> Ronald J.Hrebenar, *Japan's New Party System*, Westview Press, 2000,p .6,9.

<sup>27</sup> Ibid. p. 140.

note that the LDP's strong ties with big business and the bureaucracy is one of the reasons the LDP was able to remain in power so long. Another reason for their long reign was that following the war the LDP was able to gain the greatest support because it represented capitalism, anti-communism, and the alliance with the United States. The vast majority of Japanese supported these issues, whereas the opposition parties all had their own issues. The Socialists represented socialism, neutrality, and anti-rearmament. The Democratic Socialists were a more moderate trade union- based party that split in 1959 from the Socialist Party because it supported the U.S.-Japan alliance while the Socialists did not. The Clean Government Party focused on welfare issues, while the Japan Communist Party gained popularity in the late 1960s and early 1970s by focusing on pollution control and responsiveness to local needs. These differences in identity among the parties made opposition party unity difficult. The Japanese electoral system made it even more difficult.<sup>28</sup>

*a. Electoral System*

Japan's post-war electoral system can be described as a medium-scaled, multimember-district, single, nontransferable voting system. This means that though the voter only gets one vote, his or her district elected more than one representative. Depending on the population of the districts, each district received three, four, or five seats. The voter cast his ballot for a candidate, and the top three, four, or five vote getters won a seat to represent the district. Note that the LDP had enough strength to put up more than one candidate in most districts. This meant that, for LDP candidates, the election was more about beating their fellow party members than beating party rivals. This also encouraged factionalism within the LDP as

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<sup>28</sup> Ellis S. Krauss, *Japan's Democracy: How Much Change?*, The Foreign Policy Association, 1995, p. 41.

candidates turned to different faction leaders for endorsement and financial aid to compete against intra-party rivals.<sup>29</sup>

What may have helped the LDP most to dominate that system was the malapportionment of the electoral districts. The original distribution of three, four, or five members to a district was made right after the war when almost two thirds of the population lived in rural areas. Today the majority of the population lives in urban areas. The lines of the districts and the distribution of seats have never really changed. The results have been a consistent mis-allocation of seats favoring rural districts. Thus, the rural areas elected far more representatives than the urban areas. The reason the system has not altered is the LDP obtained more support in the rural areas than the urban areas and thus benefited from the malapportionment. If the seats had been apportioned fairly, the LDP would have lost its majority.<sup>30</sup>

***b.      Factions***

As previously noted the electoral system bred factionalism. LDP Diet members were usually divided into at least five major personal-leadership factions. These factions controlled access to the chief leadership positions in the government and party including the prime ministership and cabinet positions. Factions exist for one major purpose: to elect their faction leader as president of the LDP and thus to the prime ministership. They play primarily three roles.

1) To acquire money and distribute it to members who consistently support the faction leadership as well as endorse them in their district during elections.

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<sup>29</sup> Ibid. p. 37.

<sup>30</sup> Ibid. p. 43.



2) They serve as the kingmakers. They work to appoint and put into place the Prime Minister.

3) Brokerage. No faction controlled a majority of the party's Diet representation, therefore, since a factional leader needed more than the support of his own followers, he had to broker deals, make alliances, and form a coalition with at least one or two other faction leaders. A winning coalition would back one of the faction leaders and he would become party president and Prime Minister.<sup>31</sup>

Because of this factional process of appointments, the prime minister was really first among equals, the head of what was really a collective leadership of five faction leaders, all of whom had to be consulted on major party and governmental issues. This process also brings into question whether or not the individual appointed is really the best qualified to run the country. Factions also worked closely with various interest groups to raise money and to get things done in their districts, which would provide legitimacy and support for their members in their districts.<sup>32</sup>

*c. Interest Groups*

Another reason for the LDP's ability to remain in power so long was its broad, sweeping support of various interest groups. As the only party really committed to private enterprise, anti-communism, and anti-socialism, it always had the support of big business, which provided it with the funds to win elections. Over the years, the LDP expanded its support base to include small businesses, educational groups, professional and local civic groups. Many of the leaders of these local businesses and groups would later become Diet members for the party. It

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<sup>31</sup> Ibid. pp. 48-49.

<sup>32</sup> Ibid. p. 49.

was, and remains, clearly a case of “you scratch my back and I will scratch yours”. These relationships and the tremendous need for election funds generated by the electoral system propelled politicians into the arms of special interest groups. Therefore, politicians elected under this system had strong incentive to concentrate their efforts on providing their constituents with services and their districts with so-called pork: bridges, roads, dams, schools and other material benefits. This was how politicians distinguished themselves from their rivals in the next election. Therefore, ruling LDP politicians were usually more concerned with issues regarding construction, transportation, education, agriculture, and small business than with big policy issues such as foreign, defense, trade, or economic policy.<sup>33</sup> Because the Japanese bureaucracy oversees the regulation and administration of these areas, bureaucracy can play a significant role in policy-making.

*d. Bureaucracy*

The growth of the power of Japanese bureaucrats became entrenched as a result of the post-war reforms. Because of the purges of pre-war politicians, the dissolution of the zaibatsu, and demilitarization, the bureaucrats found themselves the only power group remaining.<sup>34</sup> Another reason for bureaucratic power is that bureaucrats historically perform better in the area of policy formation. Diet members tend to fall short in policy planning and oversight of legislation, and they appear content to follow the policy initiatives of the various ministries.<sup>35</sup> Proposals for policies that often become parliamentary bills come from the ministries and their advisory councils and are sent to the LDP and its internal policy body, the Policy Affairs Research Council (PARC) for revision, approval, or rejection, and then on to the

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<sup>33</sup> Ibid. p. 45.

<sup>34</sup> Hrebenar, p. 134.

<sup>35</sup> Ibid. p. 135.

party's top leaders. Once the party approved the proposal, it went to the cabinet, which then gave it final approval and introduced it to the Diet as "cabinet-sponsored legislation". Bureaucrats play a major role in almost all stages of the policymaking process, from formulation to advising and negotiating with the LDP and Diet committees, to implementing the new law once it is passed. Also, as it was common practice for the Diet to write general laws, the bureaucracy had a great deal of discretion in interpreting and implementing the policies.<sup>36</sup>

The power of bureaucratic influence leads some to emphasize their dominant role in policymaking. Others argue that politicians and interest groups also have much influence. Some even argue that a characteristic of Japanese policymaking is the mutual accommodation of interest groups and a particular ministry. A popular model for the Japanese policymaking process is the "elitist model", which says policies in Japan are made exclusively by the LDP, the bureaucrats, and big business, also often referred to as the "iron triangle". Elitist theory sees these three groups as having comparable interests and values. By acting in concert to produce policies that benefit all three, they entrench their power position. However, other scholars argue these three do not act in concert and are more fragmented. Thus policymaking is more a result of the interaction among the various factions of the LDP, the various groups of bureaucrats and diverse business interests.<sup>37</sup> It is clear that the various ministries play a major role in policymaking. Not only do they help to formulate policy, but they also implement and provide oversight of the policy, which in many respects gives the bureaucrat more power than the politician as the bureaucrat can withhold funds and tie up Diet efforts in bureaucratic red tape. However, when Japan's economic bubble burst in the late 1980s, the prestige of the national

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<sup>36</sup> Krauss, p. 51.

<sup>37</sup> Hrebienar, pp. 132-133.

level bureaucrat began to diminish. Nothing the bureaucracy did was perceived as correct. This crisis continued throughout the 1990s, and the bureaucracy still does not have any new plan with a reasonable chance of success. Added to this has been the bureaucracies' inability to quickly respond during the Kobe earthquake and the repeated charges of bribery or other forms of corruption lodged against bureaucrats from the elite Finance Ministry. Another problem associated with the decline of the bureaucrats has been the simultaneous decline of the business world. The 1990s were a disaster for many of Japan's corporations. Therefore, if business and bureaucracy have been unable to affect Japan's economic problems that has left the LDP. The LDP and professional politicians have attempted to move into the void. However, given the opportunity to provide the policy leadership for Japan in the twenty-first century, they have failed to provide the political leadership and significant reforms the nation requires.<sup>38</sup>

The failure of the LDP to resolve the economic crisis, along with corruption and behind the scene influence of key politicians, as well as the end of the Cold War and the LDPs failure to provide a vision for how Japan would fit in the New World Order, all led to a crisis of identity for the LDP. With the end of the Cold War, the LDP lost its legitimacy in public eyes. As long as Japan had an enemy, it was easy for the public to support the ruling LDP because there was no need to change. The end of the Cold War, Japan's ailing economy, and the public's disgust with corruption led to the end of LDP rule and the beginning of a second party system.

## **2. The Second Party System/The Transformation**

The first party system and the division of power between the LDP and the JSP died in the spring of 1993 and was replaced by a new group of parties largely dominated by parts of the LDP. By 1999, the three dominant parties were the revived LDP and its two conservative rivals,

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<sup>38</sup> Ibid. pp. 140-141.

the Democratic Party and the Liberal party. The other significant party is the Komeito, which emerged again in 1998. The irony of the new system is that LDP or former LDP leaders now lead all three of the major parties. From the right-left divisions of the first party system, the second party system now has a decidedly right-right axis that has changed the nature of Japanese political debate.<sup>39</sup>

A key highlight of the 1993-1994 transformation from LDP rule to coalition government was when the Socialists formed a coalition with the LDP and the liberal Harbinger Party. This three-party coalition held a 40-seat majority in the Lower House, forcing the Hata-Ozawa coalition into opposition, and formed a new government. The new coalition elected Tomiichii Murayama, the former Socialist chairman as Prime Minister. The trade off for the prime ministership was that the Socialist Party had to reverse a decades-old policy of the Japanese left, recognizing the SDF as within the framework of the constitution, and supporting the security treaty with the United States. Murayama did this and reversed previous antagonism to sending forces abroad as part of U.N. peacekeeping operations.<sup>40</sup> This thawed the freeze on national security debate, and since that time political debate on the constitution and the appropriate legal status of the SDF has increased.

*a. Electoral System*

Another highlight of this transformation period was the change of the electoral system. It did away with the multi-member districts and now 300 seats of the 500 seat Diet are elected using single-member, vote for the candidate, “winner take all” districts. The remaining 200 seats are filled by people elected under a regional proportional representation system. For these seats, voters cast one vote for the party not the candidate. The parties in advance choose a

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<sup>39</sup> Ibid. pp. 165-166.

<sup>40</sup> Krauss, pp. 62-63.

list of candidates in each region, rank them in order, and then based on the results of the election, the party receives seats approximately proportional to their popular vote.<sup>41</sup>

### **3. Changing Political Landscape**

On May 18, 1999 Lower House Diet Member Koichi Kato delivered a speech at CSIS entitled “The Role of Politics in a Changing Japan.” Kato stressed the shift away from leadership by bureaucrats and the “politics of promise” to the new generation of young politicians and the “politics of choice.” He highlighted the fact that Japan’s “iron triangle” of politics, bureaucracy, and industry no longer worked together to deliver prosperity, as evidenced by the ongoing economic crisis. He pointed out that a new breed of politicians was coming forth. These new leaders understood the policies they debated and were replacing the bureaucrats in the policy making process.<sup>42</sup>

Another significant change is the rise of coalition politics. Although the LDP remains the dominant party, it must cooperate and compromise with smaller parties. The minority parties, in turn, must formulate realistic cohesive policy since there is the possibility of passage. Kato used the Defense Guidelines as an example of the parties working together to come to an agreeable consensus.<sup>43</sup> Coalition governments seem to have become the norm in the early phase of the second party system. From 1993-1999, seven of eight cabinets have been coalition governments of one form or another. One outcome of all these coalition cabinets is an increase in governing experience among the senior members of nearly every party in the system except the JCP. Each party has tasted power and wants to taste it again. Therefore, the opposition parties are more

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<sup>41</sup> Ibid. p. 64.

<sup>42</sup> Representative Koichi Kato (Liberal Democratic Party, Japan), “The Role of Politics in a Changing Japan”, 18 May 1999, see <http://www.csis.org/Japan/jc990518.html>

<sup>43</sup> Ibid.

responsible than they were under the first party system. Now everyone wants to be in the cabinet and is willing to deal, negotiate and compromise on competing issues. Therefore, more political consensus may result on major issues.<sup>44</sup>

Another change is Japan's shift away from "commercial liberalism to reluctant realism", according to Tsuneo Watanabe, Japan Chair Visiting Research Scholar at CSIS. He pointed out that the DPRK's missile test was a wake up call in making the public more aware of the importance of security policy issues. He saw a trend toward the public voting on issues and a new focus on policy voting versus party voting.<sup>45</sup>

Another signal of Japan's desire to change is the recent election of Koizumi Junichi who campaigned on the theme of "change the LDP, change the nation" and who proposes to govern on policy instead of factional alliances. He called for recognition of the SDF as a military and reform of the constitution. He stressed that Japan's security is based on the alliance with the United States as a real ally and that Japan should exercise the right of collective self-defense. Additionally, he called for dramatic economic reform and favors the direct election of the prime minister.<sup>46</sup>

Finally, significant change associated with the second party system has been the rise of a conservative alternative to the LDP. With the end of Socialist power and political influence the old right-left axis of the post-World War II era has been replaced with a right-right or right-center axis, and Japanese politics may never be the same.<sup>47</sup>

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<sup>44</sup> Hrebendar, pp. 303-304.

<sup>45</sup> Tsuneo Watanabe, Summary of "LDP-Liberal Coalition and Japan's Policy Direction", 27 January 1999, see <http://www.csis.org/japan/jc990127.html>

<sup>46</sup> 25 April 2001, Japan Times, "Morning in Japan Again: Constitutional Reform".

<sup>47</sup> Ibid. p. 304.

This analysis reveals that significant change is possible within Japan. The people are tired of business as usual and are making it known at the polls. Now, for the first time, politicians are having to pay attention to their constituents. The electoral reform, which took place in the late 1990s, also is limiting the power of any one single party and forcing voters to choose a candidate based on his stand on the issues instead of the party he belongs to.

This changing political landscape is laying the foundation for Japan to revise its constitution. However, to affect real change Japan must address its much needed economic and political reform. Constitutional revision will mean very little unless there is true political and economic reform to support any changes. The counter argument to this is one must revise the constitution first in order to achieve political and economic reform. What is needed more than anything is a strong national leader capable of building consensus among the people and within the government. Without strong leadership, no reform will be achieved.

Given the fact there is some consensus building amongst the parties for constitutional reform, it is important to understand that when parties say they support constitutional revision, they each have their own idea of how the constitution should be revised or reinterpreted.

#### **4. Party Views on Japan's Constitution**

The LDP desires a general overhaul of the constitution including Article 9 to allow for collective defense. Other issues it would like to see addressed in a revision are crisis management, promotion of local administration, education, redefining the emperor as monarch and head of state, and a bicameral legislature.<sup>48</sup>

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<sup>48</sup> FBIS, JPP20000501000070 Tokyo, "Gaps in Views on Japan's Constitution Among Parties Discussed", Yomiuri Shimbun in Japanese 01 May 00 Morning Edition p. 4.



The Liberal Party calls for maintaining and developing the fundamental principles of the current charter—the sovereignty of the people, respect for fundamental human rights and pacifism. It proposes limiting the use of military force to cases when “Japan is invaded.” However, it wants participation in collective security activities only under the initiative of the United Nations.<sup>49</sup>

The DPJ proposes establishing women’s rights and a system for the direct election of the prime minister. It is divided over the issue of Article 9. The DPJ believes that it is important to discuss Constitution-related issues. Where the original text of the Constitution makes it hard for policy-makers to respond adequately to current realities, a mature democracy should, generally speaking, amend the Constitution as necessary rather than choose the option of facile reinterpretation. The DPJ therefore hopes to see wide-ranging debate, including on security issues, on the Constitution, either in the DPJ's "Research Committee on Constitution" or the Diet's "Research Committee on Constitution."<sup>50</sup>

The government of Japan has traditionally taken the position that the exercise of the right to self-defense articulated in Article 9 extends no further than the minimum essential to defend Japan and that the right to collective self-defense is forbidden under the Constitution because it goes beyond the limits of Article 9. The exercise of the right to collective self-defense is defined as the exercise of the right to use one's power to prevent an armed attack on a country with a close relationship with Japan, even where Japan itself is not directly attacked. Therefore, accepting an interpretation of Article 9 that Japan can exercise the right of collective self-defense would mean a major reinterpretation, and it could lead to the conclusion that Article 9 only bans

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<sup>49</sup> FBIS, JPP20001218000034, Japan: Editorial: “Jiyuto Enlivens Constitutional Debate”, from Yomiuri Shimbun in Japanese 18 Dec 00 Morning Edition, p. 1.

<sup>50</sup> DPJ web site, see <<http://www.dpj.or.jp/english/policy/basic.html>>

narrowly defined "wars of aggression." Given the above, the DPJ believes that the pros and cons of exercising the right to collective self-defense should not be determined by reinterpretation of the Constitution.<sup>51</sup>

Over the last half-century, Japan has established, the following principles of defense policy based on Japan's 1946 Constitution:

- Japan will not exercise armed force abroad beyond exercising the right to self-defense
- Japan will maintain an exclusively defense-oriented policy
- Japan will maintain the minimum essential military strength required for the exercise of the right to self-defense
- Japan will not exercise the right to collective self-defense
- Japan will not possess nuclear weapons, chemical and biological weapons, or other weapons of mass destruction
- Japan will only exercise the right to self-defense in situations meeting the three requirements: where a sudden and unlawful attack is launched on Japan; where there are no other appropriate means other than the use of force available; and where the exercise of military force is kept to the minimum necessary
- Japan will not adopt a conscription system
- Japan will maintain civilian control
- Japan will adhere to the three principles of arms exports
- Japan will adhere to the three non-nuclear principles.

The DPJ believes that these principles should continue to be respected.<sup>52</sup>

The New Komeito party places emphasis on enhancing articles concerning human rights--such as the right of privacy and children's rights--and maintaining Article 9. However, the party believes that debates and discussion regarding constitutional revision should continue for a period of ten years in order to obtain a national consensus. It seeks to preserve the "no war" constitution and promote arms reduction. The Komeito concept of security rests on two pillars:

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<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

maintenance of the Japan-U.S. security pact and preservation of the self-defense capability, limited to safeguarding the integrity of Japanese territory. It does believe that Japan should actively engage in peacekeeping operations under the UN Charter.<sup>53</sup>

The JCP called for examining the significance of the current Constitution, while the SDP demanded the examination of public welfare and basic human rights.<sup>54</sup> The JCP advocates breaking away from the Japan-U.S. military alliance and calls for the removal of all U.S. military bases in Japan. It does not tolerate any attempt to adversely revise the Constitution.<sup>55</sup>

This clearly shows that Japan's parties are divided over the issue of the Constitution. They each have different interests and objectives in seeing the Constitution revised. The LDP is the only party that is advocating fundamental revision including Article 9. The others seek revision focused more on economic, political, and social reforms. What this reveals is that to revise the Constitution, the ruling party must build a consensus with the other parties along the same lines that the Obuchi government did when it pursued passage of the Defense Guidelines Legislation in 1999. The case of the Defense Guidelines is an example of how consensus can be reached in Japan.

#### **D. PROPOSALS FOR CONSTITUTIONAL CHANGE**

The Yomiuri Shimbun has offered two proposals for a revised constitution, one in 1994 and one in May 2000. The 2000 proposal was a revised and updated version of the 1994 document. Specific issues the 2000 proposal addressed are:

- The concept of “public welfare” as it relates to civil and political rights

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<sup>53</sup> New Komeito web site, see <[http://www.komei.or.jp/kensaku\\_files/english/basicpolicy.htm](http://www.komei.or.jp/kensaku_files/english/basicpolicy.htm)>

<sup>54</sup> FBIS, JPP20000501000070, “Gaps in Views on Japan’s Constitution Among Parties Discussed” Yomiuri Shimbun in Japanese 01 May 00 Morning Edition p. 4.

<sup>55</sup> JCP web site, see <[http://www.jcp.or.jp/english/e-What\\_Is\\_the\\_JCP.html](http://www.jcp.or.jp/english/e-What_Is_the_JCP.html)>

- The authority of the prime minister to exercise special command in times of major natural disasters and other national emergencies
- In the 1994 proposal, the Yomiuri Shimbun upheld the first clause of Article 9 that prohibits a war of aggression. However, at the same time, it called for the second clause of the article to be revised to make it explicit that Japan has an “organization for self-defense” However, the second proposal amended this wording from “self-defense” to “armed forces”.
- Strengthening the power of the lower house by only requiring the presence of half of the members of the lower house instead of the current two thirds required to readopt a bill rejected by the House of Representatives
- Extending constitutional status to political parties
- Creating provisions to guarantee the rights of crime victims
- Introduction of an article regarding the people’s right to demand disclosure of government information and clarification of a guiding principle of local autonomy<sup>56</sup>

The main content of the 1994 proposal was retained in the 2000 proposal. This included Chapter I (Sovereign Power of the People) and Chapter IV (International Cooperation). Concerning human rights, the 1994 proposal introduced the concepts of the right to individual dignity and privacy, as well as the right to a good environment. Other elements of the 1994 proposal retained in the 2000 proposal are:

- The idea of creating a constitutional court because of the need to speed up court procedures
- The rewriting of the preamble, taking into consideration ideas such as cherishing the nation’s “long history and tradition” and preserving “our fair landscape and cultural legacy.” It is important to note the current preamble of the constitution consists of statements drawn from the U.S. Declaration of Independence, the U.S. constitution, and other well-known political documents. The Yomiuri’s opinion is that, it is only natural for Japan to change the wording of the preamble to suit Japanese realities.<sup>57</sup>
- A new chapter titled “Security” (anzen hoshō) to replace the existing chapter titled “Renunciation of War” (Senso no hōki). The security chapter does not change the first paragraph in the present constitution. The only revision would be to change the word “renounce” in the clause “the Japanese people forever

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<sup>56</sup> FBIS JPP200000503000011 Editorial: “New Constitution in the 21<sup>st</sup> Century”, The Daily Yomiuri (Internet version) in English 3 May 2000, pp. 2-3.

<sup>57</sup> Ibid. p. 3.

renounce war as sovereign right of the nation” to “will not recognize.” However, the second paragraph, which now states, “land, sea, and air forces, as well as other war potential, will never be maintained” would be deleted. In its place the Yomiuri recommends including clauses that affirm Japan’s commitment not to “manufacture, possess, or use.... inhuman, indiscriminate weapons of mass destruction.” along with clauses stating: recognize “the maintenance of an organization for self-defense,” grant the Prime Minister the supreme authority to command the self-defense forces, and prohibit national conscription into the self-defense organization.<sup>58</sup>

- A chapter on international cooperation that articulates Japan’s desire to eliminate from the earth “human calamities caused by military conflicts, natural disasters, environmental destruction, economic deprivation in particular regions, and regional disorder.” Based on this desire the Yomiuri draft states that “Japan will actively cooperate with the activities of established international organizations,” and “when necessary, will be able to dispatch civil service personnel and provide parts of the self-defense force organization for the maintenance and promotion of peace and for humanitarian support activities.”<sup>59</sup>

A constitutional revision as suggested by the Yomiuru Shimbun would permit the overseas deployment of self-defense forces in peacemaking and peace enforcement operations as well as peacekeeping and humanitarian operations.<sup>60</sup>

## **E. CONCLUSION**

This chapter reveals that Japan is on a course of evolutionary change. The evolving changes in the political landscape mean that the politicians must increasingly pay heed to their constituencies instead of party factions and interest groups. This ever-changing political system is beginning to establish the foundation from which solid political and economic reform may take place in Japan this century and ultimately lead to constitutional revision. The question one must ask is whether political and economic reforms are required for constitutional revision or will constitutional revision be enacted in order to create political and economic reforms? The

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<sup>58</sup> Mochizuki, p. 62.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

next chapter will examine why there is a need for reform and highlight why these areas may drive constitutional revision.

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### **III. CHANGE VS. STATUS QUO**

This chapter argues that it is in both the American and Japanese interests for constitutional revision to occur. It seeks to show that without a revised constitution, neither Japan nor the United States can achieve their national security objectives in the region. It first highlights what Japanese and American interests are in the region. It then shows how the 1996 U.S.–Japan Joint Declaration and the 1999 revised Defense Guidelines (DGL) were written to create a framework to achieve both country's interests. It argues that the New Defense Guidelines nevertheless still fall short of adequate political and economic reform including a revised constitution. It will discuss the reforms needed to adequately provide teeth to the DGL to make it more than a paper tiger. The chapter concludes with a cost/benefit analysis of the advantages and disadvantages of revising the constitution versus maintaining the status quo.

#### **A. JAPAN'S INTERESTS**

Japan's primary national interest is to ensure its safety, security, and prosperity and to promote an affluent and peaceful society for the Japanese people. In light of these interests, Japan has four major security interests.

- The territory of Japan
- The region surrounding Japan
- The Persian Gulf resource area
- The Sea Lines of Communication (SLOCs) from the Persian Gulf to Japan

Japan depends on the Persian Gulf states for 80 % of its oil. Since the end of the Cold War, the threat of weapons of mass destruction from Korea and China has increased. Additionally, the threat of piracy in Southeast Asia and territorial disputes in the South China Sea have increased. In order for Japan to defend all its security areas, it would have to build a



large armed force. So far, the United States has significantly contributed to stabilizing the Gulf region and contributed to SLOC protection.<sup>61</sup>

There remain various uncertain factors in the post-Cold War international community. While the Asia-Pacific region has witnessed increased political and social stability with remarkable economic growth, there are still unpredictable and uncertain elements, such as the existence of large-scale military capabilities (including nuclear arsenals) the expansion and modernization of military forces by many countries, and continuing tensions on the Korean Peninsula. Given this security environment, Japan embraces a security policy based on three pillars:

- Firmly maintaining the Japan-U.S. Security arrangements
- Building up Japan's defense capability on an appropriate scale
- Making active diplomatic efforts to ensure international peace and security

Under its constitution, Japan has moderately built up its defense capability in accordance with the fundamental principles of maintaining an exclusively defense-oriented policy and not becoming a military power that might pose a threat to other countries.<sup>62</sup>

With ever-increasing interdependence in the international community, the stability and prosperity of Japan is inevitably linked to the peace and prosperity of the Asia-Pacific region and of the world. From this perspective, in order to ensure Japan's security as well as regional peace and stability, efforts must be made at various levels of diplomacy while maintaining the U.S. military presence. These include: (1) efforts toward the resolution of individual conflicts and confrontations, and bilateral and multilateral dialogues and cooperation toward regional stability;

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<sup>61</sup> Riichi Furugaki, "Collective Self-Defense for Japan, Japan Watch CSIS, May 2000, see <[www.csis.org/japan/japanwatch/jw050o.html](http://www.csis.org/japan/japanwatch/jw050o.html)>

<sup>62</sup> Ministry of Foreign Affairs of Japan, Diplomatic Blue Book, 1997, Chapter II A, , see <<http://www.mofa.go.jp/policy/other/bluebook/1997/1-a.html>>

(2) political and security-related dialogues and cooperation toward increasing the policy transparency of the Asia-Pacific countries and building confidence among them; and (3) the achievement of greater regional political stability through support and cooperation in the economic development of countries in the region.

In today's world of deepening interdependence, it is impossible for any country to pursue its own security and prosperity separately from the stability and prosperity of the entire world. Within Japan itself, the whole social system of the country is currently being questioned, and the government is seriously engaged in six major areas of reform (administration, fiscal policy, social security, economy, financial system and education). As domestic politics and foreign policy increasingly overlap, Japan must strive toward the achievement of the self-evident, but extremely difficult, goal of realizing peace and prosperity for itself and the world.<sup>63</sup>

To ensure the safety and prosperity of Japan, it is crucial that Japan strengthen cooperative relations with those countries playing major roles in the realization of the stability and prosperity of the surrounding Asia-Pacific region, while also developing and strengthening various multilateral frameworks which contribute to this objective. From this perspective, Japan stresses its alliance with the United States and other bilateral relationships with neighbors such as the Russian Federation, the People's Republic of China and the Republic of Korea. Japan is also working to boost regional stability and promote development by strengthening ties with the ASEAN and Oceanic countries and by promoting regional cooperation efforts such as the Asia-Pacific Economic Cooperation (APEC) forum and the ASEAN Regional Forum (ARF).<sup>64</sup>

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<sup>63</sup> Ibid. Chapter I

<sup>64</sup> Ibid.

Despite Japan's close relationship with the United States and its involvement in bilateral and multilateral relationships, because of the changing security environment, Tokyo is beginning to take a more realistic approach to its security interests. It is realizing that it can no longer solely rely on the United States to guarantee its security interests and therefore has begun to debate and review the interpretation of Article 9. Additionally, through its involvement in multilateral forums, it realizes it needs the ability to conduct collective defense to maintain a strong voice in the international arena.

## **B. UNITED STATES INTERESTS**

The United States divides its interests into three categories: 1) vital, 2) important and, 3) humanitarian. Vital interests are those directly connected to the survival, safety, and vitality of the nation. Among these are the physical security of its territory and that of its allies, the safety of its citizens at home and abroad, protection against weapons of mass destruction proliferation, the economic well being of its society, and the protection of its critical infrastructure.<sup>65</sup>

Important national interests are those which affect the nation's well being and the stability of the world in which the nation operates. This includes developments in regions where the U.S. possesses the following:

- Significant economic or political stakes
- Global environmental stakes
- Concern regarding infrastructure disruptions that destabilize but do not prevent smooth economic activity
- Concern over crises that could lead to economic instability or lead to large refugee flows<sup>66</sup>

The third category, humanitarian and other long-term interests, include:

- Reacting to natural and man made disasters

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<sup>65</sup> "A National Security Strategy For A Global Age", The White House, December 2000, p. 4.

<sup>66</sup> Ibid.

- Halting gross violations of human rights
- Supporting emerging democracies
- Encouraging adherence to the rule of law and civilian control of the military
- Conducting Joint Recovery Operations world wide of the nation's war dead
- Promoting sustainable development and environmental protection
- Facilitating humanitarian demining<sup>67</sup>

The U.S. strategy in Asia is based on the understanding that a stable and prosperous Asia-Pacific is vital to its national security interests. The United States pursues its vision of a stable Asia-Pacific by: 1) promoting democracy and human rights, 2) advancing economic integration and, 3) enhancing security. The United States relies upon its bilateral and multilateral relationships in Asia to achieve its national interests in the region. The U.S.-Japan alliance remains the foundation for achieving common security objectives and maintaining stability in the Asia-Pacific region. However, Japan's unwillingness to participate in collective defense brings into question its ability to support the United States in achieving these common security interests. As a result, the United States has encouraged Japan to review Article 9, desiring to see Japan adopt a reciprocal relationship and assume a larger military role as required to meet their common interests. It is in the U.S. interest for Japan to lift its prohibition on collective defense, as it would allow for more efficient security cooperation. It would allow Japan to make a greater contribution to regional stability and become a more equal alliance partner.<sup>68</sup>

### **C. DEFENSE GUIDELINES ANALYSIS**

The year 2000 marked 53 years since the Japanese Constitution was written. It is the oldest un-amended constitution in the world. Article 9 of the Constitution is the means by which

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<sup>67</sup> Ibid.

<sup>68</sup> Armitage et al., pp. 3-4.

the United States sought to ensure Japan would never again be a militaristic, imperial nation. It states:

The Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea and air forces as well as other war potential will never be maintained. The right of belligerency of the state will not be recognized.<sup>69</sup>

Japan interprets this article as prohibiting it from exercising a right of collective self-defense, including joint military operations with the United States and collective security activities like UN peace enforcement operations. Additionally, articles, 72 and 73, which limit the prime minister's authority, are also subject to debate over the goal of increasing the prime minister's crisis management powers.

The Japan-U.S. Mutual Security Treaty was signed in 1960. Its two most important articles are Article V—which commits U.S. forces to defending Japan—and Article VI, by which Japan provides bases for U.S. forces in the Far East. In 1978, the United States and Japan produced the first Defense Guidelines, which described in detail bilateral military cooperation during defense of Japan (Article V) scenarios. However, the 1978 Defense Guidelines did not thoroughly address Japanese support for U.S. forces during operations to maintain regional security (Article VI). This reflected the influence of Japan's "peace" Constitution and the asymmetrical nature of the U.S.-Japan security relationship in the period from 1950 through the 1980s. By these arrangements the United States had to defend Japan, but Japan did not necessarily have to come to the assistance of the United States.<sup>70</sup>

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<sup>69</sup> Stratfor, Global Intelligence Update, 22 February 2000, p. 1, <[www.stratfor.com/services/gru2000/022200.asp](http://www.stratfor.com/services/gru2000/022200.asp)>

<sup>70</sup> John P. Niemeyer, COMNAVFORJAPAN POL/MIL Officer, Background Paper For RADM Weiss, Subject: "Defense Guideline" 07 July 1998, p. 1 (unclassified).

The end of the Cold War began to change the U.S.- Japan security relationship. Japan's "money only" support during the Gulf War in 1990-91, bitter bilateral trade negotiations, and reverberations from the North Korean nuclear crisis of 1994 resulted in a growing cry from the United States to end Japan's "free ride" on defense. U.S. pressures to increase burden sharing and Japanese concern over a potential nuclear and ballistic missile-armed North Korea combined to spur efforts to reassess Japan's role and responsibilities in its security relationship with the United States.<sup>71</sup>

From October 1994 to April 1996, the governments of both countries undertook an intensive bilateral review of their security relationship in a post-Cold War context. The September 1995 review, coined the "Nye initiative" in the media (after then Assistant Secretary of Defense for International Security Affairs Joseph Nye Jr.) was interrupted by the rape of a schoolgirl by U.S. servicemen on Okinawa and by Chinese missile demonstrations in the Taiwan Strait in March 1996. These two events created a renewed sense of urgency and intense public debate over the utility of the U.S.-Japan alliance. In April 1996, President Clinton and Prime Minister Hashimoto met and formalized the Nye initiative in a Joint Security Declaration entitled "U.S.-Japan Joint Declaration on Security Alliance For the 21<sup>st</sup> Century." In this document, President Clinton and Prime Minister Hashimoto reaffirmed the continued importance and relevance of the U.S.- Japan security relationship for the future and tasked a revision of the 1978 Defense Guidelines in order to focus on cooperation in responding to regional contingencies.<sup>72</sup> Beginning in 1996 the process for revising the 1978 Defense Guidelines began. The "new" Guidelines document was subsequently finished and approved in the autumn of 1997. The

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<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

Defense Guidelines went beyond the traditional “defense of Japan” scenario, and now cover cooperation during:

- Peacetime/normal circumstances (e.g., peacekeeping, international humanitarian assistance, disaster relief operations, etc.)
- An actual armed attack against Japan
- A serious/threatening regional crisis near Japan specifically termed “In Situations in Areas Surrounding Japan” (e.g., a Korean contingency)<sup>73</sup>

The initial problem with the New Defense Guidelines (DGL) was that current Japanese law under the Peace Constitution does not support the requirements outlined in the document. To solve this, Prime Minister Hashimoto submitted a Defense Guidelines legislation package to the Diet in April 1998, consisting of a Regional Contingency Security Law and Emergency legislation. On August 25, 1999, the Regional Contingency Security Law went into effect. This law stipulated how Japan would respond and what assistance it would offer to U.S. forces if an emergency occurs in areas surrounding Japan. This law allows the central government of Japan (GOJ) to request cooperation and support from local governments and the civilian sector. Additionally the legislation consists of a new law that will enable the Japanese Self-Defense Force (JSDF) to conduct Search and Rescue (SAR) and Maritime Intercept Operations (MIO), as well as various types of rear-area support operations. It also revised the existing Self Defense Force law to allow the Japan Maritime Self-Defense Force (JMSDF) and embarked helicopters to participate in Non-Combatant Evacuation Operations (NEO). However, the MIO provision was dropped from the legislation and separate MIO legislation law was approved in March 2000.

In February 2000, an unprecedented debate on revising the Constitution opened in the upper house of the Diet, with the dominant Liberal Democratic Party and the Liberal Party calling for a Constitutional amendment and the Communist and Social Democratic Parties

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<sup>73</sup> Ibid.

opposing any change. But in effect, the Japanese establishment, represented by the LDP and to a lesser extent by the Liberals, are now of the opinion that Article 9 should be revised in the context of possible broader institutional changes. This is a drastic change in Japanese thinking.<sup>74</sup>

The approval of the DGL has in many ways been the impetus driving Japan to seriously consider revising its Constitution. Until the ban on collective defense is changed, it will be difficult for the JSDF to operate and act outside of an Article V, “defense of Japan” scenario. This significantly inhibits Japan’s ability to take a greater military role in assisting the United States in maintaining peace and stability in the region. Additionally, Japan will need to come up with an emergency bill that will expand the authority of the prime minister and review relations between the Diet and the Cabinet as well as restrictions on private rights in times of emergency. In addition, the current Constitution does not provide an enforcement measure to require local and prefectural governments to provide the required support outlined in the DGL, such as use of air and port facilities.

Since the 1991 Gulf War, the Japanese have argued that Article 9 prohibits Japan’s involvement in U.S. military operations abroad. In fact, Article 9 not only limits Japan’s ability to use its armed forces; it also prohibits Japan from maintaining an armed force at all. Japan established its armed forces in complete opposition to the constitution, with U.S. encouragement. Article 9 is something the United States has come to regret. During the Cold War, the U.S. wished it had imposed the same standard on Japan, that it had imposed on Germany.<sup>75</sup>

There are three things, which must be kept in perspective with regard to Article 9:

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<sup>74</sup> Stratfor, Global Intelligence Update, 22 February 2000, p. 2.

<sup>75</sup> Ibid.



- Japan has been in complete violation of Article 9 since the 1950s, when it began to build the Self-Defense forces. Today, Japan spends more on defense than any other country except the United States. It has the second largest Navy in the world next to the United States.
- The Japanese have used Article 9 as a shield against the United States. By redefining Article 9 to exclude the clause on maintaining a military force, but clinging to the section that precludes the use of the military, Tokyo has been able to deflect U.S. demands for Japanese forces.
- The government of Japan has used Article 9 to cling to definitions that serve the Japanese national interest. Article 9 has given Japan enormous control over its foreign policy—while allowing it to develop its military power at its own discretion.<sup>76</sup>

Additionally, it is important to note that Japan's Constitution does not explicitly prohibit the right of collective defense. Japan, as a member of the United Nations, possesses the rights of individual and collective self-defense and can participate in UN security operations. The GOJ has found it convenient over the years to avoid the political stress involved in changing the Constitution. Recent polls have shown a growing number of Japanese—approximately 60%—favor revision of the Constitution. However, American pressure, domestic politics, and bureaucratic inertia will determine when and how Japan's Constitution is changed.<sup>77</sup>

Given these facts, why then does Japan desire to revise its Constitution? There are several arguments. One, Japanese grand strategy has broken. The strategy consisted of three elements. First, the U.S.-Japanese relationship was the foundation of Japanese foreign policy, leading to the acceptance of U.S. forces in Japan and subordination to the wishes of the United States. Second, Japanese politicians sought to use Article 9 to avoid any direct exposure of Japanese forces in American conflicts. Third, Japan exploited Washington's interest in an economically strong and socially stable Japan to build a powerful industrial base heavily

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<sup>76</sup> Ibid., p. 3.

<sup>77</sup> John Niemeyer, COMNAVFORJAPN Pol/mil Officer, POL-Mil Backgrounder 07-97, *Japanese Constitutional Issues*, May 1997, p. 4.

dependent on exports. The third was the payoff for the first. The payoff is now missing, given the economic crisis in Japan since the early 1990s.<sup>78</sup>

With the foundations of this grand strategy shattered and Japan's economic miracle over, Japan must revise its institutions at home and its strategic relationships abroad. Japan wants to maintain its relationship with the United States. Becoming more active in security matters is a way to create a new dimension of inter-dependence. Another argument is based on the notion that Japan is a great power and the world's second largest economy and so has global economic interests. Japan must maintain access to oil from the Persian Gulf and to secure that oil, Japan must ensure the Strait of Malacca is open to shipping. To do that it must have the ability to project its military forces overseas. Until now, Japan has relied on the United States to guarantee its fundamental national interests. Japan is now uncertain whether the United States is prepared to pay the price required to secure its national interests. Japan has realized that to protect its interests in a potential Asian power vacuum, it must remain one of Asia's major players—not only economically and politically, but also militarily. The final argument is that the Constitution must be revised to support the re-emergence of Japan as a normal and great power, with political and military power that parallels its economic power and interests.<sup>79</sup>

#### **D. THE NEED FOR REFORM**

Under the existing Constitution, the Diet cannot originate legislative bills or even propose government ordinances. The Prime Minister or any political party with more than 20 members may submit legislation to the Diet, after approval by the Cabinet. Further, legislation requires that all bills and proposed ordinances drafted by the various ministries must be submitted to the Cabinet Legislation Bureau (CLB) to be examined for compliance with the Constitution and

<sup>78</sup> Stratfor, Global Intelligence update, 22 February 2000, p. 2.

<sup>79</sup> Ibid., pp. 4-5.

existing laws. The CLB must give its consent before legislation can be brought up in a Cabinet meeting for consideration. The control the CLB has over politicians is almost absolute. Fundamentally, Japan's system of democracy avoids relying on its judicial and court system to resolve major issues that involve constitutional interpretation. The weakness of the judicial system precludes Japanese courts from checking the power exercised by the legislative and bureaucratic institutions in Japanese government. For example, the recently enacted Regional Contingency Law debates focused in part on whether Diet approval was necessary in an emergency or if the prime minister and Cabinet could in fact dispatch the SDF without prior Diet debate. In the absence of a strong court system that would consider the legalities of the Guidelines in a courtroom, the allocation of authority to the Prime Minister promotes back-room deal-making between coalition government participants. In the end, the form of checks and balances imposed on Japan in 1946 limiting its power to act in an emergency is divided between the prime minister and his own cabinet—not between branches of government. At the same time, balancing among politicians means the system may be slow to react in a real crisis.<sup>80</sup>

One proposal to change the Cabinet Law, which regulates the internal operation of the Cabinet, would empower the prime minister to deal with emergencies inside Japan, such as the Kobe earthquake. The present law does not allow the Prime Minister to control or supervise a government ministry or agency without having reached agreement on a policy at a Cabinet meeting, which requires unanimity. The proposed change would enable the prime minister to exercise such control directly in a crisis, without going through cabinet meetings. The CLB has said that any changes in the Cabinet Law that empowers the prime minister to control or

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<sup>80</sup> Barry Howell, CNA Policy Analysis Division, 2 October, 1999 E-mail regarding Aum Shinriko and Freedom of Religion. (unclassified).

supervise ministries or agencies at his own discretion, even in an emergency, would violate the Constitution. In the face of such basic systemic problems, the Japanese government faces many questions and unresolved issues of legality and authority that can only be addressed by Constitutional and legislative reform. Until these matters are resolved, important agreements between the United States and Japanese governments, such as the U.S.-Japan Mutual Defense Guidelines, will require political validation by the Diet to be of practical value.

### **1. Patriotism vs. Nationalism**

The 145<sup>th</sup> Diet session (January 19-August 13, 1999) passed 108 of 124 bills including laws giving legal status to the Hinomaru Flag (Flag of the Rising Sun) and the Kimigayo National Anthem. Many in Asia perceived these events as Japan moving along the road toward hyper-nationalism and nationalistic militarization. Some argue that patriotism is not necessarily nationalism. Instead, the Japanese are merely seeking to be a normal nation possessing their own anthem and national flag.<sup>81</sup> However, others argue that nationalism runs deep among the Japanese and that their pacifism is due more to their humiliating defeat and occupation than to a moral conviction and genuine repentance of their actions during WW II. It has been stated that, as a nation, Japan's deeds have not conformed to its words regarding pacifism—which many view as more an instrument of foreign policy than genuine moral principle. Therefore, whether Japan is going to see a revival of militarism is irrelevant. Japan needs only to become a “normal” nation, pursuing a rational foreign policy, for it to become engaged in war. As a normal nation, Japan's capacity to prepare for war is great.<sup>82</sup>

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<sup>81</sup> Tokuko Shironitta and Tsuneo Watanabe, “Japan Outlook: Struggle for Change” Japan Watch, March 2000, p. 2, [www.csis.org/japan/japanwatch/jw0300.html](http://www.csis.org/japan/japanwatch/jw0300.html)

<sup>82</sup> Yoichi Toyoda, p. 1.

## **2. Centralized National Government vs. Local Prefecture Government**

A weakness of the New Defense Guidelines is that the government of Japan has signed up for extensive support to U.S. forces, but does not have the power to compel its citizens to provide the support. However giving the central government back the power it possessed during the 1930s and 1940s is something the Japanese electorate may not be ready to do yet. To remedy the situation the GOJ has proposed a “Rear Area Support Bill” which is now under review to make use of authorities and assets of local governments and the private sector. However, since it is difficult to create a bill that imposes penalties on those who refuse to cooperate or that compulsorily enables use of airports, ports, and hospitals, the bill is likely to simply ask for cooperation. This substantiates U.S. interest in seeing the Japanese Constitution revised to allow for more central government authority.

## **3. Cost/Benefit Analysis**

Clearly, Japan’s comprehensive defeat and unconditional surrender in World War II resulting in the U.S.- imposed peace constitution, preventing Japan from ever waging war again, now places both the United States and Japan in a security dilemma. The paradox is that the United States is both arbiter and object of the very constitution it imposed on Japan, in that Japan interprets Article 9 as prohibiting collective defense and denying the right to project armed forces overseas when it is in its national interest to remain a neutral pacifist. To date Japan has used Article 9 to keep from involving itself in American expeditions or operations abroad. The U.S. is no longer finding the cost-benefit factor allowing Japan to free ride substantial enough to continue to provide for the comprehensive security of Japan and its national interest. It believes that Japan should begin to shoulder some of the burden for its own security and the maintenance of peace and stability in the region. At the same time, given the “New World Order” and the current regional economic situation, Japan no longer perceives itself as receiving the economic

gains necessary to justify allowing the United States to be the sole protector of its national interest. In fact, both countries fear their economic interests may one day conflict, at which time Japan may not be able to rely on the United States for its economic and physical security. Therein lies the dilemma. Both countries need each other, but at the same time they desire the flexibility to be able to act either independently of the other or collectively together as the situation dictates. The constitution the U.S. imposed on Japan after World War II was required to meet U.S. foreign policy and security objectives at that time. After World War II and during the Cold War, it was in the U.S. interest to provide for the security of Japan to allow Japan to focus on re-building and solidifying its democracy into a constitutionally mature liberal democracy. However, given the realities of the post-Cold War era; it is now in the interest of both the United States and Japan to see the peace constitution revised to authorize for Japan the legitimate right of collective defense and the right to maintain a military, capable of participating in both global and regional security operations. Currently, the contradiction between the existing peace constitution and the post Cold War role America wants Japan to play is being resolved through the political expediency of Diet legislation such as the Regional Contingency Security Law. However, these are short-term fixes for long-term systemic problems.

#### **E. CHALLENGES TO REFORM**

There are three major reasons why Japan will have difficulty implementing reform.

- There is a strong strategic culture in Japan founded upon the ideal of groupism. Many of the economic and political reforms advocated today call for a culture based more on the individual. The problem is how to change a system that is founded upon families, corporations, and other groups in Japanese society.
- How do you reform people from being Japanese?
- Because of a long history of ‘what you see is not really what you get’, there is an ingrained perception that someone behind the scenes is always pulling the strings. Therefore, reforms are not perceived as reform, rather as bureaucrats behind the scenes manipulating the system.

## **F. CONCLUSION**

It is clear Japan and the United States have common security interests in the Asia-Pacific region. Given these common security interests, there are significant weaknesses in the current Japan-U.S. security relationship requiring major reform within Japan. The 1999 Defense Guideline legislation made strides in improving the security relationship by expanding the roles and missions of the JSDF. However, as long as Japan continues to prohibit collective defense, all security related legislation would amount to nothing more than a paper tiger. It is in both the American and Japanese interests to lift the ban on collective defense. Such a ban would enable an equal political and security relationship. It would allow both countries to mutually support one another in advancing their national security objectives. The next chapter will examine the internal and external events which may drive Japan to revise or reinterpret Article 9, thus enabling Japan to lift its ban on collective defense.

## VI. INTERNAL AND EXTERNAL CONTEXT FOR CONSTITUTIONAL REVISION

Whenever Japanese are accused of being cautious, conservative, slow to change and mired in traditional culture, they are quick to point out Japan's significant transformation during the Meiji Restoration and the post-war occupation. They believe that they did it then and that they can do it again. However, so far for the most part Japan has remained closed and bound by traditions. The difference between then and now is that there is no direct *gai'atsu* (foreign pressure). Therefore, Japan must change on its own, and Japan's decision-making culture of consensus building makes it an extremely slow process. Some Japan watchers believe that within Japan there are sufficient internal pressures building to drive serious reform as well as some *gai'atsu* in the form of globalization and the demands of foreign investors, as well as a changing regional security environment. However, the real pressure for a so-called "third opening" is from an almost universal recognition among Japanese that their country has not changed with the times. "Politics, economics, and society—we have three bubbles that burst on us. Yet blueprints for dealing with the 21<sup>st</sup> century—middle-and long range both—are sadly lacking," wrote former Prime Minister Yasuhiro Nakasone recently. Clearly, what is missing in Japan is visionary leadership.<sup>83</sup> When Japan is able to combine visionary leadership with a public bent on reform, and what many consider rising nationalism, one may see a true third opening with sweeping economic, political, educational, and defense policy reform resulting in the country revising its constitution as it seeks to be a normal nation.

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<sup>83</sup> Jonathan Sprague, "Pressure Points, Is Japan's 'third opening' now under way?", *Asiaweek*, October 20, 2000 Vol. 26, No. 41.



## **A. INTERNAL FORCES**

A Yomiuri survey conducted spring 2000 reveals there already is public support for a revised constitution. It indicated that 60 percent of 1,935 respondents support proposals to revise the Constitution, while 27 percent were opposed. In another survey, the Yomiuri conducted a similar poll of 95 lawmakers who sat on the Research Commission on the Constitution, a special panel set up in both Diet chambers in January 2000 to examine the issue along with other potential reforms. The report said that among 80 legislators who responded, about 70 percent of them, including representatives from the Liberal Democratic Party and Minshuto (Democratic Party of Japan), said that they favor constitutional reform.<sup>84</sup> Another indicator of cultural change that would facilitate revision of the constitution, was a January 2000 report from a private advisory council to then Prime Minister Keizo Obuchi titled “Japan’s Goals for the 21<sup>st</sup> century.” The report urged drastic reform and rethinking of everything from existing political and legal institutions, education, and immigration, to diplomacy and national security. Politically the panel advocated a shift away from organized institutions toward the individual. The new Japanese term “kyochi”—or cooperative governance—was coined to highlight the need for popular empowerment and the promotion of a two-way exchange of ideas between government and governed. The underlying theme was the need to promote individualism and individual responsibility. For centuries, Japanese culture and society have been grounded in the collective. Japanese values have always advocated the common good against the demands of individual rights. Japan has created a system in which personal accountability and responsibility are accorded a lesser place. However, council members seemed convinced that the new century promises a changed environment in which only mental agility, originality, and a spirit of

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<sup>84</sup> The Daily Yomiuri April 15, 2000.

enterprise based on self-interest will successfully negotiate the dangers of a new globalized world. Thus the report pushed for education reforms that will help nurture individual development, create diversity and enhance flexibility. The foremost conclusion the panel reached was that Japan can no longer rely on the judgment and leadership of a powerful elite group of politicians, big businessmen and bureaucrats (the traditional iron triangle) to decide the destiny of the nation. They concluded that the individuals of Japan must establish a new relationship with the government, with the society and among themselves.<sup>85</sup> This is the kind of the internal forces within Japan advocating significant reform that could lead to constitutional revision.

### **1. Japan's Economic Crisis**

Japan's economic crisis is a major factor which may significantly influence a drive toward constitutional revision. Failure of the government to bail Japan out of its current recession could drive Japan to begin to increase spending on defense. An historical example of where this worked for Japan was during the Korean War, when Japan received many U.S. defense contracts to support the buildup of U.S. forces in Korea as well as to fuel Japan's devastated economy after the end of World War II. If Japan's economy continues to fail, this could be a tactic to be used again. By significantly increasing government spending on its own defense industry, it could be the catalyst to reverse the failing economy. However, with increased spending on defense, there must be justification for the use of that defense system. A revision of Japan's constitution would thus open the door to justification for increasing the use of Japan's defense forces abroad.

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<sup>85</sup> Japan Times, Editorial, 24 January 2000.

## **2. Political Forces**

Another main domestic force that may drive revision is the political arena within Japan. Already many of the political factions have accepted the expanded role of the Self Defense Forces (SDF) under the New Defense Guidelines. Naoto Kan, head of the opposition Democratic Party, stated in February 1999 that “The dispatch of the Self Defense Forces overseas to rescue Japanese is not out of the question....” Kan also indicated that the scope of the SDF overseas missions could be broader still as “their mission would be to rescue Japanese and other nationals.” He went on to state that Japan might be able to dispatch the SDF “overseas on combat missions,” but only with the approval of neighboring countries like China or South Korea. According to a February 12, 1999 Yomiuri article, the Democratic Party was drafting a security policy that could go so far as to lift the ban on SDF participation in UN peacekeeping operations.<sup>86</sup> Clearly, steps have been taken toward instituting reform which could lead to revision. Much the type of legislation needed to revise the constitution may already have been written and is sitting on the shelf and the politicians are waiting for an external shock that will legitimate implementation of the legislation.

## **3. Changing Demographics**

Another internal factor that may influence constitutional revision is Japan’s changing demographics. More than 60 percent of the population is now under 50 years old, born after the end of World War II. Nearly 30 percent is under 25 and knows the war only through their grandparent’s memories. Japan’s youngest citizens live with a burden unknown to their parents. The job security, protected markets, and national security subsidized by the United States at the height of the Cold War have suddenly disappeared. Unlike their parents, this generation looks forward to an uncertain future—and knows only a U.S. government that is unwilling to bail them

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<sup>86</sup> Stratfor Global Intelligence Update, 24 February 1999, p. 1, [www.stratfor.com/asia/aiuarchive/a990224.htm](http://www.stratfor.com/asia/aiuarchive/a990224.htm)

out. As a result, there is evidence in the media of nationalism increasing among the younger generation. Despite this younger generation, the population in general is aging. An aging population means there will be fewer skilled workers to do high tech jobs. This in turn means Japan may be forced to import a skilled labor force in order to meet its high tech demands. The ramifications of this are a population that may become less homogeneous and which is not native-born Japanese, and who then could influence domestic politics and push constitutional revision.

#### **4. Rising Nationalism**

Rising nationalism has been driven in part by Japan's failing economy and the Asian financial crisis. In March 1999, Japanese Ambassador to the United States Kunihiro Saito highlighted the potential for revived militant nationalism in Japan. He pointed out how continued U.S. pressure and blunt criticism of Japan could hurt the Japanese economy and Japanese-U.S. relations and that the biggest threat from this could be the revival of Japanese nationalism.<sup>87</sup> Militant nationalism is not inevitable in Japan, but failure to address the issues appropriately could result in a shift toward independence away from the U.S. and an increase in nationalism.

#### **5. Internal Forces Analysis**

Mike Mochizuki points out that these trends do not mean that Japan will revise its constitution anytime soon and that the two-thirds parliamentary majority required to amend it still represents a substantial barrier. However, the frequent commentary on constitutional issues in journals and the press demonstrates the Japanese are engaged in a debate about their constitution with an eye toward increasing their country's participation in promoting

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<sup>87</sup> Stratfor Global Intelligence Update, 17 March 1999, Japan Warns U.S. to Back Off or Face Revival of Nationalism, [www.stratfor.com/asia/aiuarchive/a990317.htm](http://www.stratfor.com/asia/aiuarchive/a990317.htm)

international security. By openly addressing this issue, it creates an opportunity to develop a new domestic consensus. He goes on to highlight that in the mean time the government will focus on two tasks. It will expand the concept of individual self-defense so to encompass more than what is minimally necessary to defend Japan. Moreover, it will relax the restrictions on the integrated use of force so that Japan can provide greater rear area support for U.S. forces as well as participate more actively in UN peacekeeping operations. Mochizuki argues persuasively that these two steps will lay the groundwork for the approval of both collective self-defense and collective security, either through constitutional reinterpretation or revision.<sup>88</sup> Already we have observed that Japan has taken significant strides in accomplishing these two tasks. It is appropriate to now turn to a discussion of some of the external forces or events that could drive the internal forces to revise the constitution.

## **B. EXTERNAL FORCES**

Throughout Japan's modern history it is evident that Japan only embarked upon radical change once it experienced some major external shock. For example, Western encroachment into Asia drove the Meiji restoration. The Nixon shocks and oil crisis of the early 1970s drove the 1976 National Defense Program Outline. The end of the Cold War and Persian Gulf War along with the 1995-1996 Taiwan crisis in many respects led to the 1997 Defense Guidelines. There are numerous external events and scenarios taking shape today that could result in the next shock and drive Japan to revise its constitution.

### **1. Rapidly Changing Political and Security Environment in Asia**

The primary external force that will drive Japan toward revision of its constitution is the rapidly changing political and strategic situation in the Pacific region. China is growing in

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<sup>88</sup> Mike Mochizuki, "A New Bargain for a Stronger Alliance" in *Toward A True Alliance, Restructuring U.S.-Japan Security Relations*, Brookings Institution Press, Washington D.C., 1997, p. 33.

strength economically and militarily. It is expanding its maritime capabilities and increasing the range of its naval forces into territories that bring it increasingly into contact with the Japanese. Beijing is becoming increasingly impatient on the Taiwan issue. North Korea is emerging from political and economic isolation. Its moves toward reconciliation are prompting Japan to reassess the potentials for the removal of U.S. troops from the peninsula. Additionally, there is concern that a reunified Korea would emerge as an economic, political, and strategic competitor to Japan.<sup>89</sup> Other external forces or events that have put pressure on Japan are:

- The U.N. operation in Iraq in 1991 and the recent multilateral operation in East Timor, brought criticism of Japan for not taking a more direct role in the operations
- The 1994 North Korea nuclear crisis
- The 1995-96 Taiwan crisis
- The terrorist assault on the Japanese embassy in Peru in December 1996
- North Korea's launch of a medium-range Taepodong missile over Japan in August 1998
- The 1999 North Korea Mothership incursion into Japanese territorial waters
- Other Asian nations have called on Japan to assert itself as a true regional power. Malaysian Prime Minister Mahathir Mohamad, an outspoken critic of Western expansionism, called on Japan to take a greater role in the security of the region.<sup>90</sup>
- Outright pressure from the United States on Japan to assume a greater political and military role in the region

Some Japan watchers argue the combination of internal forces (including economic problems) and external forces (specifically the rising security threats in the region) have placed Japan on an inevitable path toward some form of revision of its constitution. Some even argue Japan will accelerate spending on defense to protect its strategic interests as well as to revive its

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<sup>89</sup> Stratfor Global Intelligence Update, 21 June 2000, p. 2, "Japan's Future: Nationalistic Solution for Economic Malaise", [www.stratfor.com/asia/commentary/0006212321.htm](http://www.stratfor.com/asia/commentary/0006212321.htm)

<sup>90</sup> Ibid., p. 3.

failing economy.<sup>91</sup> Though these are some of the events that have taken place already and placed pressure on Japan to reform its defense policy, it is also important to look at some of the potential future scenarios that could force Japan to revise its constitution.

## **2. Future Scenarios That Could Drive Constitutional Revision**

There are a number of scenarios involving Korea, China, and Taiwan that could drive Japan to pursue its right to collective defense.

### ***a. Korean Reunification***

Japan has much at stake in the outcome of Korean unification which in turn will determine the nature of its strategic relationship with Korea. Japan desires a united Korea that is friendly to Tokyo and Washington and is economically strong and politically open and will allow token U.S. forces to remain on the peninsula. Korean reunification that results in a Korea aligned with China and possessing nuclear weapons would easily drive Japan to reform its defense policy and drive Japan to take a more independent realist approach to its defense policy. If a united Korea were to obtain nuclear weapons, Tokyo would find it difficult to resist acquiring nuclear weapons itself. Even a friendly unified Korea could spark public pressure for Japan to remove U.S. forces from Japan, since the threat would be perceived to have left. It could ignite heightened public desire for Japan to be a normal nation with its own legitimate military.<sup>92</sup>

### ***b. Rising China***

Given China's size, growing economy, and military potential, how China integrates itself into the international system will significantly affect security in the Asia-Pacific region. Currently, its advances in the South China Sea, the modernization of its naval and air

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<sup>91</sup> Ibid., p. 4.

<sup>92</sup> Michael H. Armacost, and Kenneth B. Pyle, "Japan and the Unification of Korea: Challenges for U.S. Policy Coordination", The National Bureau of Asian Research, Volume 10, Number 1, March 1999, p. 6.

forces, and the development of its nuclear forces have caused some in Japan to perceive China as a threat. If China's economy continues to grow and more resources are allocated to strengthening its military capabilities, Japan may have no choice but to increase its defense capability and reform its policy on collective defense in order to assist the United States in balancing power against China. Additionally, if China's naval forces engage in uncontested expansion in the South China Sea, this could threaten Japan's unhindered access to resources and threaten the flow of oil from the Persian Gulf to Japan. Again, such a scenario could drive Japan to revise its stance on collective defense.<sup>93</sup>

**c.      *Taiwan Crisis***

A major Taiwan crisis, that involves a Chinese naval blockade or direct attack on Taiwan resulting in U.S. military intervention could result in a crisis in the U.S.-Japan alliance. This is especially true if the United States deployed forces based in Japan to respond to such a crisis. Such actions would raise constitutional issues in Japan and create domestic turmoil. Failure of Japan to support the United States in such a crisis would strain if not break the alliance. However, if Japan supported the United States, Beijing would break its ties with Japan and most likely threaten its security. Japan is aware of this potential dilemma and therefore may choose to reinterpret Article 9 to allow for collective defense in an effort to prevent such a scenario from happening.<sup>94</sup>

**d.      *Resurgent Russia***

Presently Russia is focused on its domestic political and economic turmoil, but at the same time, it is solidifying its relationship with China. As a result both China and Russia

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<sup>93</sup> Satoshi Morimoto, "The Security Environment in East Asia", in Mochizuki, Mike, M., ed., *Toward A True Alliance, Restructuring U.S.-Japan Security Relations*, Brookings Institute Press, Washington D.C., 1997, p. 86.

<sup>94</sup> James Przystup, "China, Japan and the United States" in Green, Michael J. and Patrick M. Cronin, *The U.S.-Japan Alliance: Past, Present, and Future*, Council on Foreign Relations Press, New York, 1999, p. 34.



seek to leverage Japan's cooperation with the United States against Japan. As long as Japan's defense policy is tied to the United States, it will remain tied to U.S. relations with China and Russia, which are currently tense. Russia also uses its opposition to a U.S.-Japan TMD system as a lever in its negotiations with Japan over a peace treaty and resolution of the sovereignty dispute over the southern Kurile islands. Add to this domestic opposition to U.S. bases in Japan and increased tension between Japan and the United States over economic issues, and Japan may choose to break away from the alliance and take a more independent role in Asia. Japan has already begun developing independent cooperation with Russia and South Korea. Such a move would drive Japan to revise its constitution to allow a legitimate armed force in order to balance power against Russia and China without having to tie itself to U.S. policies, which could prevent Japan from achieving its national security objectives.<sup>95</sup>

*e. United States Pressure*

In October 2000, the so-called Armitage-Nye report among other things called for Japan to revise its ban on collective defense, further implement the 1997 Defense Guidelines, and adopt a more active international security role. However, some analysts argue that the report raises unrealistic expectations for Japan. The report set ambitious goals, which challenged Japanese decision makers. However, it is interesting to note that during Armitage's visit to Japan in May 2001, he did not focus on the report nor seek to set the tone toward overhauling the bilateral relationship. Instead, he focused on missile defense in an effort to gain Japanese support for National Missile Defense (NMD). Japanese support for NMD is increasingly crucial as Washington makes a strategic shift from Europe to Asia. Washington must sell NMD to its allies in order for it to serve as a stabilizing factor in the international system. If the foremost

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<sup>95</sup> Stratfor Global Intelligence Update, February 26, 1999, "Japanese Factions Accept Expanded Role For Military" see <<http://www.stratfor.com/SERVICES/GIU/022699.asp>>

U.S. ally in Asia fails to support it, the rest of the U.S. allies in Asia will resist as well. As Washington increases pressure on Japan to support NMD, Tokyo will be faced with a dilemma. On the one hand, it wants to support the general spirit of the Armitage-Nye report and strive for an enhanced defense relationship. On the other hand, it is cautious about supporting NMD for several reasons. First, Japan wants no part in a Sino-U.S. clash over missile defense, which may leave it having to deal with an angry trading partner. Second, Japan does not want to see missile defense come at the expense of nonproliferation and disarmament treaties, which are a major part of its foreign policy. Third, Tokyo is also concerned that NMD will unravel nuclear agreements and lead to an arms race among India, Pakistan and China. Such an arms race would not only increase regional tensions, but would also force Japan to rely even more heavily on the United States for protection at a time when it desires to be a more equitable partner. The changing regional security environment, along with continued U.S. pressure for Japan to revise or reinterpret Article 9 to allow for collective defense, is likely to ultimately drive Japan to reform its defense policy to allow for an independent more assertive Japan.

Each one of these scenarios is plausible. Failure of the United States to respond adequately to any one of these scenarios could likely cause Japan to pursue an independent defense policy to protect its national interests. Revising the constitution would give Japan the flexibility to effectively pursue its own foreign policies and not tie itself to the United States' relations with other states in the region.

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## **V. POSSIBLE SCENARIOS FOR A REVISED CONSTITUTION**

There are several policy options that Japan could pursue toward becoming a normal country. First, Japan might pursue a modified form of the status quo in which Tokyo passes legislation to allow the JSDF to take a greater role in U.N. peacekeeping operations reducing the restrictions of the 1992 PKO legislation, and grants the prime minister greater authority in times of emergency. A second option is a total revision of the constitution to including abolishing Article 9 and allowing a standing military. This could take two forms either in an independent Japan, or a reciprocal Japan. A third possibility is to revise the constitution and reinterpret or modify Article 9.

### **A. MODIFIED STATUS QUO**

To achieve a balance of power, Japan does not need to expand its military capabilities. All that is required is for it to recognize its inherent right to collective defense under Article 51 of the UN charter and establish government mechanisms for effective crisis management.<sup>96</sup> This policy option argues that current and pending Japanese legislation allows the JSDF and GOJ to provide the requisite support outlined in the DGL, as well as assume collective security roles as required. Therefore a revision of the Constitution is not needed. Given that the primary objective for the United States is to see Japan participate in burden sharing and agree to a more reciprocal relationship, it is important to note Japan can do this via the United Nations and within the existing constitutional legal framework. Reform politician Ichiro Ozawa advocates this within Japan. His vision for Japan as a normal nation is for it to take a more active part in U.N. sanctioned collective security operations. He emphasizes the common ground shared by the

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<sup>96</sup> Mochizuki, p. 61.

Japanese constitution, the Japan-U.S. security treaty, and the U.N. Charter. He believes that the SDF can and should move beyond its current policy of an exclusive defense strategy and participate in U.N. peacekeeping activities on an ad hoc basis and as part of a standing U.N. force. Ozawa does favor revising Article 9 to stipulate that Japan may have a self-defense force for peace-building, maintain a U.N. reserve force for action under U.N. command when requested, and participate in action by the U.N. reserve force under U.N. command. Along with this, he advocates maintaining a strong security relationship with the United States and views this relationship as the cornerstone of Japan's foreign policy, but he also believes Tokyo should give greater priority to its East Asia Pacific diplomacy. In his opinion Japan should pursue multilateral diplomacy focusing on a new security framework that could respond to a power vacuum if the United States withdrew from the region.<sup>97</sup>

## **B. TOTAL REVISION OF CONSTITUTION**

This policy option calls for the revision of the Constitution by deleting Article 9 and allowing for bilateral and multilateral collective defense, along with centralized government control and authority over local and prefecture governments. This would provide maximum support to the recently revised U.S.-Japan Defense Guidelines as well as establish Japan as a major political, economic, and military power in the world. Given China's recent military modernization and steady economic growth, a totally revised Japanese Constitution would give Japan the additional power needed to balance a rising China. The question regarding this option is whether Japan would pursue its rights as a normal country independent of the United States or as part of an ongoing reciprocal relationship based on burden sharing and power sharing. I argue that Japan would see it in its best interests to pursue a reciprocal relationship with the United

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<sup>97</sup> Mike Mochizuki, "American and Japanese Strategic Debates: The Need for a New Synthesis" in *Toward a True Alliance, Restructuring U.S.-Japan Security Relations*, Brookings Institute Press, Washington D.C., 1997, pp. 57-59.

States in order to reduce the backlash of its neighbors that would inevitably come if Japan were to revise its constitution.

### **C. REVISE CONSTITUTION AND MODIFY OR REINTERPRET ARTICLE 9**

This option calls for revising the Constitution by modifying Article 9 to allow for bilateral and multilateral collective defense and to allow for centralized government control and authority over local and prefecture governments. Emphasis would be placed on establishing a strong system of checks and balances, specifically concerning collective defense and the sending of military forces overseas. It might employ a checks and balances similar to the U.S. War Powers Act, limiting the prime minister's ability to send forces overseas for an extended period of time without the approval of the Diet and/or a declaration of war. This option might retain U.S. forces in Japan to alleviate the region's fear of an independent re-emerging militarized Japan.

This approach would encourage retention of the U.S.-Japan security alliance, along with the closure of some military bases in Japan. This would confirm the importance of the U.S.-Japan security relationship, and at the same time let China know the U.S. is not seeking to dominate the region via a U.S.-controlled re-militarized Japan. Additionally, by establishing specific limiting factors and constraints on Japan's ability to project force, the fears of an aggressive militaristic Japan may be alleviated, while at the same time providing the flexibility for Japan to participate in collective security operations at home and abroad.

### **D. PROSPECTS FOR CHANGE**

Japan will most likely in the near term follow the first policy option, pursuing evolutionary change and continuing to debate and pass legislation that will grant the JSDF greater roles and autonomy in sanctioned UN peacekeeping operations. It will also most likely

pass some form of emergency legislation which will grant the prime minister and the central government greater authority and control over the prefecture and local governments during a crisis or emergency. The second and third options involve some form of revision or reinterpretation of Article 9 and will not likely take place until some external shock impels it, as previously discussed. What is clear is that Japan is already changing and desires to assume a reciprocal relationship with the United States, as well as a more active role in UN peacekeeping operations.

With the end of the Cold War, Japan's foreign policy and regional security strategy has embarked upon a transitional stage. Its foreign policy has turned from passive to active, from dependence to autonomy, and from bilateral dependency to multilateral cooperation.<sup>98</sup> Despite these emerging shifts in policy, it is also important to understand there are still domestic and international impediments, which may hinder Japan's ability to take a more active role in world affairs. According to Takashi Inoguchi, "The increasing demands for Japan to assume more global responsibilities, in conjunction with the international and domestic opposition to such steps, has led Japanese policy to zigzag in a manner frequently characterized as 'two steps forward and one step backward'".<sup>99</sup> The reasons for this fluctuation in Japanese foreign policy are the domestic impediments to an activist policy. First, the pacifist tendencies that grew out of Japan's World War II experience are still strong. Second, domestic interests oppose taking any steps that might undermine economic prosperity at home. Third, decision making in Japan is consensual, and it is undermined by a lack of strong political leadership. Consequently, it is difficult for the Japanese government to move quickly to carry new international responsibilities.

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<sup>98</sup> William E. Odom, *Trial After Triumph, East Asia After the Cold War*, Hudson Institute, Indiana, 1992, p. 79.

<sup>99</sup> Inoguchi, p. 144.

Instead, the government tends to move incrementally.<sup>100</sup> However, since the late 1990s there have been a number of external shocks that have forced Japan to take action and seek to take more of a leadership role in both the regional and global security arenas. Specifically, there were the 1991 Gulf War, 1994 DPRK nuclear crisis, 1996 Taiwan Straits Crisis, 1996 Nye initiative and the U.S.-Japan Joint Declaration on Security, the 1998 DPRK missile launch and mother ship intrusion, the 1999 East Timor Crisis, and 2000 ROK/DPRK reunification talks. These shocks have forced Japan to re-evaluate its security posture, leading to the revised U.S.-Japan Defense Guidelines, subsequent legislation to support the Guidelines, as well as debate and a new Diet committee to review the possibility of revising Japan's constitution. Additionally, Tokyo has increased its role diplomatically within Asia, signing unprecedented partnership agreements with the ROK and PRC in 1998, as well as engaging in several regional multilateral economic and security forums. Japan's desire to have a permanent seat on the U.N. Security Council and participate as an observer in NATO and the Conference on Security and Cooperation in Europe (CSCE) are examples of Japan's desire to be involved globally as well as to be able to influence the development of the Post Cold War "New World Order". Given the trends in Japan's post-Cold War foreign policy there are several conclusions that may be drawn.

Japan's security and economic dependence on the United States, and the reactive nature of Japanese policymaking make it unlikely Japan will change its ties with Washington radically. The U.S.-Japan strategic alliance will remain the primary axis of Japan's foreign policy in the post-Cold War era.

Japan will continue to increase its military expenditures and the relative importance of the United States to Japan will decline. Japan will pursue relationships with other countries in

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<sup>100</sup> Ibid. p. 145.



the region in order to limit its dependence on the United States and will continue to encourage multilateral economic and security forums

In the near term, the Korean Peninsula will remain Japan's biggest security concern. The reunification of Korea would present a great challenge to Japan, both economically and strategically. Therefore, Japan will continue to seek an active role in shaping the reunification efforts.

In the long run with the continued growth of China's economic and military power, Sino-Japanese relations could become crucial to regional stability. This underscores the importance of continued U.S. military presence to ensure the stability of the region.

Japan will continue to seek to enhance its international image through its continued if not expanded role in peacekeeping and humanitarian assistance operations, as well as its continued financial support to both the region and Eurasia.

At some point Japan will revise its constitution, giving it legal authority to maintain a military and thus assume an increased role in regional and global crisis management. Already, via Diet legislation, Japan has already taken significant incremental steps toward greater military involvement in supporting regional and global multilateral operations. This trend will continue.

## **VI. POTENTIAL REGIONAL RESPONSES TO A REVISED CONSTITUTION**

### **A. CHINA**

While Japan and China are close neighbors, they dispute a number of issues including their perception of past history, the Senkaku Islands, and the Taiwan problem. Despite these issues, Tokyo desires to eliminate Beijing's skepticism about the Japan-U.S. Security Alliance. China has numerous concerns over the recent revised Defense Guidelines and the Regional Contingency Security Law passed in August 1999. First, China is concerned about the provisions allowing Japan to conduct non-combatant evacuation (NEO) operations overseas, as outlined in the recently passed Defense Guidelines legislation. China recalls Japan attacked China at the Marco Polo Bridge in July 1937 and then in August attacked Shanghai. China is concerned that in both these cases Japan used evacuation of its citizens to justify its actions.

Second, China remains unconvinced that the new DGL do not include Taiwan, specifically in its reference to cooperation with the United States in situations in areas surrounding Japan. Third, in China's view, when the Cold war ended, Japan's position in the U.S. military strategy should have been lowered. Instead, because the United States readjusted its military strategy, Japan's position has been somewhat elevated. Chinese leaders who watch Japan believe that in the past Japan's Self-Defense Force was only a shield which was used to protect itself. Now the United States wants to make Japan play the role of a sharp sword. Clearly, Beijing might perceive a revised Japanese constitution as the first step in removing the sword from the protective sheath of U.S. control. Therefore serious consideration must be given to how the Constitution is revised, the role the United States should play in assisting Japan with

revising its constitution and whether or not the United States should involve itself with this Japanese domestic issue at all.

## **B. THE KOREAS**

Consideration must be given to the impact a unified Korea might have if Japan revises its constitution. The United States currently uses the North Korean threat to justify its military presence in Japan. Washington relies on Japan as a major rear area support base to support contingency operations on the Korean peninsula. Therefore, if Korea were peacefully united, the justification for maintaining U.S. forces in Japan would go away. That dilemma would be further compounded if Japan 's revised constitution authorized it to possess its own military forces with the freedom to exercise collective defense and project force abroad. The GOJ most likely will come under tremendous public pressure to remove U.S. forces from Japan and assume the responsibility for SLOC protection since these forces would no longer be needed to defend Japan from a North Korean attack. Additionally, Japan may no longer be needed as a support base for U.S. forces. However, one could argue that a U.S. forward presence will always be required, at least in the near to mid-term, since Japan does not possess the requisite assets to secure the numerous sea lanes of communication critical to Japan's security.

## **C. NORTHEAST ASIA SECURITY DILEMMA**

Japan needs U.S. assistance against a direct threat from North Korea, yet it finds its relations with China and Russia hampered by its cooperation with the United States. As long as Japan remains tied to the United States on defense issues, it will be affected by the state of U.S. relations with China and Russia. This, therefore, limits Japan's ability to negotiate independently with China and Russia. Despite this fact, Japan has already begun developing

independent military cooperation with Russia and South Korea.<sup>101</sup> It may also become a catalyst that drives Japan to revise its constitution, as Japan seeks its own military autonomy in the region to give it more political and economic influence with its Asian neighbors. The United States therefore needs to be sensitive to the dilemma Tokyo faces as it seeks to engage its neighbors.

#### **D. WESTERN PACIFIC REGIONAL RESPONSE**

Should Japan revise its constitution, China, North Korea, and many of the Southeast Asian countries may view the change as a re-emergence of Japanese militarism and perceive Japan as a threat. In fact many nations throughout Asia would perceive a revised Japanese constitution, especially one authorizing Japan to project military forces abroad, as indicating a re-emerging militarist Japan and a threat to the security and stability of the region. However, it is important to note Japan has already re-armed. The issue now is the future use of these forces and whether a revised constitution will possess the necessary checks and balances to prevent misuse of these forces. Southeast Asia welcomes Japanese muscle as a counter to the rising might of China. Additionally, Japan's role as the economic financier of Southeast Asia has muted both concern and criticism, and Tokyo is quick to remind neighbors of its \$80 billion in emergency aid commitments during the economic crisis of the past two years. However, despite Japan's economic contributions to the region, an independent and militarily strong Japan with the ability to project force abroad could destabilize the region and create a conventional arms race especially between Japan and China.

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<sup>101</sup> Stratfor Global Intelligence Update, 26 February 1999, p. 5, [www.stratfor.com/services/gru/022699.asp](http://www.stratfor.com/services/gru/022699.asp)

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## **VII. IMPLICATIONS OF CONSTITUTIONAL REVISION FOR JAPANESE DEFENSE POLICY AND U.S. FORCE STRUCTURE IN JAPAN**

### **A. JAPANESE DEFENSE APPROACHES AS A NORMAL COUNTRY**

There are primarily four viable approaches Japan could take toward becoming a normal country. First, it could adopt an independent approach in pursuit of independence away from its current dependent role under the United States. Second, it could pursue a multilateral approach focused on confidence building measures and increased involvement in UN operations. A third option is an alliance maintenance approach focused on strengthening the U.S.-Japan alliance through increased burden and power sharing, as advocated by the so called 2000 Armitage-Nye report. Or fourth, it could employ a realist approach that would support the U.S.-Japan alliance but call for greater Japanese independence within the relationship and place greater emphasis on Japan's national security interests. Each is outlined below, followed by an examination of the potential impact each approach could have on U.S. force structure in Japan. The chapter concludes with an assessment of the most likely approach Japan will adapt and its impact on U.S. force structure.

#### **1. Independent Approach**

This approach would mean a more assertive Japan pursuing its own independent foreign and defense policies. An independent Japan would not necessarily be hostile to the United States, but there could be great potential for increased tension, ultimately leading to a break in the alliance. How an independent Japan would relate to the United States would depend on the level of confidence Japan has in American security guarantees.<sup>102</sup> Analysts Ted Galen

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<sup>102</sup> Calder, p. 31.

Carpenter, Doug Bandow and Chalmers Johnson all predict that an independent Japan will evolve in the absence of new responsibility and power sharing mechanisms along with a decline in U.S. force structure in Japan.<sup>103</sup> An independent Japan would have serious consequences, including:

- Disputes over burden-sharing and withdrawal of U.S. forces from Japan
- Expansion of Japanese air and naval forces and an increased role for JSDF in the region. For example, an increased naval presence in the South China Sea, the straits of Malacca, and possibly the Indian Ocean may develop.
- Unilateral deployment of TMD and possibly independent satellite reconnaissance and targeting
- Possible acquisition of nuclear weapons
- Competition and possible conflict between Japan and China, most likely over sea-lane control, off shore resource development, or disputes over sovereignty of the Senkaku islands
- Regional instability resulting from an arms race as other countries in the region seek to maintain a balance of power in the region<sup>104</sup>

## **2. Multilateral Approach**

This approach would seek to alleviate the fears among Japan's neighbors of a re-armed Japan as it pursues its right to collective defense as a normal country. It would seek to use forums such as Northeast Asia Cooperation Dialogue (NEACD), the Association of Southeast Asian Nations (ASEAN) and its Regional Forum (ARF), and the Council for Security Cooperation in the Asian Pacific (CSCAP) to provide confidence building measures and information sharing to dispel the historical fears the countries of the region have of Japan.<sup>105</sup>

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<sup>103</sup> For these perspectives see, Ted Galen Carpenter, "Paternalism and Dependence: The U.S.-Japanese Security Relationship," The Cato Institute, November 1995. See <<http://www.cato/pubs/pas/pa-244.html>>, Doug Bandow, "Old Wine in New Bottles," Cato Institute, May 1999, and Chalmers Johnson and E.B. Keehn, "The Pentagon's Ossified Strategy," *Foreign Affairs*, volume 74, No. 4, July/August 1995, pp. 103-114.

<sup>104</sup> Ibid.

<sup>105</sup> Daniel T. Evans, "Making Decisions About U.S.-Japan Security Relations: Toward a Limited Forward Deployment in the 21<sup>st</sup> Century" Thesis, Naval Postgraduate School, Monterey, California, 1998, pp. 65-66. For a detailed analysis of the various multilateral forums in Northeast Asia see, Edward A. Olsen, "Multilateral Security Arrangements in Northeast Asia", *Collection of Scholarly Papers on National Security*, Seoul: Korean National Defense University, 1998.

Additionally, it would seek to shoulder greater military burdens by expanding its contributions to international peacekeeping operations. The principal proponent of this in Japan is reform politician Ichiro Ozawa. He desires to see the JSDF take a more active role in U.N.-sanctioned collective security operations. According to Ozawa Japan would need to recognize its wartime responsibility in order to gain the trust of its neighbors, while continuing to maintain the alliance with the United States as the cornerstone of its foreign policy. However, Tokyo should give greater priority to East Asian-Pacific diplomacy. According to Ozawa, through multilateral diplomacy Japan should “develop a new security framework that can respond to the power vacuum that would be left by an American withdrawal.”<sup>106</sup>

Kiyoshi Sugawa notes that, as U.N. missions increase in importance and complexity, Japan’s current legal restraints may keep it from playing a role in many important operations. Therefore, in order to continue contributing to the UN in ways beyond its previous “checkbook diplomacy,” Japan may be forced to revise its constitution.<sup>107</sup> If revised, the mutilateralist approach would seek the right of collective defense only currently authorized under U.N. sanctioned operations. One possible source of tension is that the United States may want Japan to support contingencies that may not fall under UN authorization.<sup>108</sup>

### **3. Alliance Maintenance Approach**

This approach focuses on the concern over U.S. withdrawal from East Asia, reduced U.S. interest in Japan, or the possibility that reduced Japanese support for the United States in a crisis

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<sup>106</sup> Mochizuki, p. 59. For the primary source see, Ichiro Ozawa, *Blueprint for a New Japan: The Rethinking of a Nation*, Tokyo: Kodansha International, 1994, p. 94.

<sup>107</sup> Kiyoshi Sugawa, “Time to Pop the Cork: Three Scenarios to Refine Japanese Use of Force”, CNAPS working paper, Center for northeast Asian Policy Studies, July 2000, p. 2. See <[http://www.brook.edu/fp/cnaps/papers/2000\\_sugawa.htm](http://www.brook.edu/fp/cnaps/papers/2000_sugawa.htm)>

<sup>108</sup> Ibid.



will result in alliance breakup. It argues that Japan should expand its contributions to the alliance and exercise the right of collective self-defense in order to increase U.S. trust in Japan and further the alliance. This approach calls for maintaining the status quo. It would, however, support a radical reinterpretation of the constitution to allow for increased Japanese defense burden sharing within the alliance. A larger Japanese role in the alliance implies a greater Japanese role in the decision making process of the alliance. However, those who advocate alliance maintenance so fear abandonment by the United States that they may be the last to develop such a self-reliant approach. There is also reluctance on the U.S. side to accept more Japanese involvement in decision-making.<sup>109</sup> The problem with this approach is that it is difficult to see the Japanese public supporting Japan's larger role in the alliance solely for the sake of showing solidarity with the United States. To many, Japanese alliance maintenance will only increase Japan's fiscal burden in return for vague security reassurance.<sup>110</sup>

#### **4. Realist Approach**

Realists in Japan emphasize tangible national interests and seek to increase Japan's roles and responsibilities within the U.S. alliance, and they look to develop diverse security options for Japan. This approach supports the alliance, but calls for greater Japanese independence within the relationship. It would most likely seek a long-term reduction of U.S. bases, reduced host-nation support, and a revision of the status of forces agreement. It would emphasize Japanese support for joint military operations that serve tangible Japanese interests. It supports the right to collective defense and is willing to increase the military role of Japan in the alliance. However, it would argue that Tokyo should be selective in participating in joint operations and carry greater decision-making power regarding such operations. This approach would offer Tokyo

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<sup>109</sup> Ibid., p. 3.

<sup>110</sup> Ibid., p. 9.

greater negotiating leverage in its international relations and in its alliance relationship with the United States. This approach reflects a belief that Japan cannot count on the U.S. support on every occasion. It will seek to enhance Japan's defense capabilities while turning to the U.S. alliance for security against large-scale threats.

## **B. POTENTIAL IMPACT ON U.S. FORCE STRUCTURE IN JAPAN**

All of the above approaches to Japan becoming a more normal country with the ability to exercise its international right to collective defense carry ramifications for U.S. force structure in Japan. The following analysis evaluates several options the Government of Japan (GOJ) may pursue, depending on the approach it takes toward becoming a normal country. In general, all of the approaches previously discussed most likely will seek some form of U.S. force withdrawal from Japan, with the exception of the alliance maintenance approach. However, even this approach would still pursue implementation of the Special Action Committee on Okinawa (SACO) report and a further decline of U.S. Marine presence on Okinawa in order to reduce the political pressure the large Marine presence on Okinawa places on the Government of Japan. Mike Mochizuki and Michael O'Hanlon see significant reduction of the U.S. Marine presence on Okinawa as part of a larger bargain that would rectify bilateral asymmetry if Japan recognized the right of collective defense and took on more military operational responsibilities. O'Hanlon recognizes the symbolic importance of the Marine Corps presence on Okinawa, but he argues that the forces could be reduced to a Marine regiment (about 2000-3000 troops), since that is all that the amphibious ships stationed in Sasebo can carry. He believes any uncertainty caused by a reduction in forces would be offset by the goodwill gained among the Japanese public and the reduced political pressure currently straining the bilateral relationship.<sup>111</sup>

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<sup>111</sup> Michael O'Hanlon, "Restructuring U.S. Forces and Bases in Japan," in Mike Mochizuki, ed., *Toward a True Alliance*, Brookings Institution Press, Washington D.C., 1997, pp. 149-178.

The following analysis evaluates strictly from a Japanese perspective the possible approaches Japan could take toward becoming a normal country. The next chapter evaluates the U.S. perspective.

### **1. Status Quo**

The alliance maintenance approach is the only approach that would call for maintaining the status quo. This approach would have the least impact on U.S. force structure in Japan. The government of Japan would continue to pursue some level of U.S. Marine Corps reduction on Okinawa and at the very least seek to relocate the training of U.S. forces on Okinawa elsewhere in Japan or in the region.

### **2. Withdraw All Forces From Japan**

This impact is most likely to occur if Japan pursues the independent approach. An independent Japan would most likely pursue a long-term goal of removing all U.S. forces from Japan. However, it would probably still maintain agreements to allow the pre-positioning of war reserves and on call access to military bases and training areas as required in case of a major contingency requiring U.S. military support. Given Japan's aging society, it will not have the demographics to man a large enough force to unilaterally deal with a major contingency. Though possible, this outcome is not likely to occur, as some form of U.S. military presence in Japan--specifically naval and air forces--would provide a collective asset to meet Japan's security interests in the region. Additionally, U.S. military presence would help to alleviate the fears of Japan's neighbors that it is returning to its pre-World War II militarized status and thus aid in maintaining stability in the region.

### **3. Withdraw All Forces Except U.S. Navy**

This impact is very plausible as Japan's primary security interests revolve around maintaining the security of its SLOCs. Also given that Japan is an island nation, its security

primarily revolves around its maritime defense. Therefore, it would be in Japan's national interest to maintain a U.S. naval presence to assist in the security of its SLOCs and territorial integrity. The fiscal burden of developing and manning a large enough navy to defend its vast maritime interests would be too great to pursue an independent maritime defense posture. However, U.S. ground and air forces could always fly in if a crisis required them. The benefits of this option to the GOJ exceed the costs, as the primary public discontent regarding U.S. bases revolves primarily around the negative impact of footprint, noise, and accidents associated with U.S. air and ground bases. This impact is most likely to occur with an independent or realist approach. However, even with these approaches, the GOJ would most likely still see it in its interest to maintain some level of U.S. ground and air force headquarters and combat service support personnel in country to coordinate the reception, staging, onward movement and integration of forces should the GOJ request combat forces in country to deal with a regional crisis.

#### **4. Withdraw All Forces Except Air Force**

This impact, though unlikely, is presented so as not to rule out all potential courses of action the GOJ could pursue. Next to ground bases, U.S. air bases are a source of strain to the bilateral relationship. The current mayor of Tokyo has called for the closure of Yokota Air Base on numerous occasions. The relocation of Futenma Air Base called for in the SACO report is evidence of the strain air bases can create for the bilateral relationship.

#### **5. Withdraw All Marines From Japan**

The JSDF does not have an equivalent to the U.S. Marine Corps. Therefore, under an independent or realist approach it is extremely likely the GOJ would pursue the complete withdrawal of all Marines from Japan, or at the very least, request they draw down to strictly headquarters and combat service support personnel. The GSDF and the U.S. Marines can

maintain their current level of training with short-term deployed Marine Corps ground and air forces to Japan. Should a crisis occur requiring Marine Corps forces, they could be rapidly deployed from Hawaii via air or sea assets. Additionally, the United States can maintain a Marine Corps Expeditionary Unit Special Operations Capable (MEU SOC) in the Pacific region on a six-month rotational cycle to handle any small crisis that may emerge in the region. The Ground Self Defense Force recognizes the importance of maintaining a U.S. Marine presence in Japan. However, the GOJ following an independent or realist approach would perceive the benefits of removal or drawdown as exceeding the costs the strain of their continued presence would have on the bilateral relationship.<sup>112</sup>

## **6. Withdraw All Marines from Okinawa**

Given that Japan's security interests revolve primarily around the maritime defense of its territory and SLOCs to ensure the protection of much needed resources, an independent or realist approach would view U.S. naval and air assets on Okinawa as the only forces required to secure its national interests. If collective defense were authorized, the GOJ could potentially use its GSDF and deploy them aboard U.S. ships and aircraft if they were needed for a crisis involving humanitarian assistance or disaster relief. Under these approaches, the GOJ would not see the need for the United States to take the lead in every regional crisis. Japan would be prepared to do so and therefore the current level of U.S. ground forces in Japan would no longer be required. The GOJ would most likely first seek the withdrawal of U.S. Marines from Okinawa, since these forces are the preponderance of ground forces in Japan. Once again, the benefits to Japan's

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<sup>112</sup> Noboru Yamaguchi, "Why the U.S. Marines Should Remain in Okinawa: A Military Perspective," in Cossa Ralph ed. *Restructuring the U.S.-Japan Alliance*, CSIS Press, Washington D.C., 1997, p. 31. Then Colonel and now General Noboru Yamaguchi of the GSDF lays out the arguments against the utility of Marines and then shows, from a military perspective, why these forces still play a critical role not only in the defense of Japan and in response to regional contingencies, but for peace time confidence building, humanitarian assistance, and the preservation of regional stability.

relationship with the United States would exceed the costs associated with removing these forces.

### **C. THE MOST PROBABLE APPROACH AND IMPACT**

The most probable approach Japan will pursue as a normal country is the realist approach. Japan stands to lose too much were it to pursue an independent approach. It would face harsh criticism from its neighbors for revising its constitution to allow for collective defense. It would face even harsher rhetoric and possibly trade sanctions from its neighbors if it were to pursue a foreign and defense policy completely independent of the United States.

The GOJ is not likely to pursue an alliance maintenance approach because this represents the status quo and failure to adjust to the changed international security environment. It does not provide the GOJ the flexibility to meet its own national security objectives without being tied to the U.S. security objectives, and the two are not always the same.

The multilateralist approach to problems depends on the region remaining relatively stable and on a certain degree of trust amongst all participants. If the security environment shifts, a crisis ensues, or distrust develops that results in large-scale arms procurements by all participants, then Japan could find itself contained by other states that have bandwagoned together to balance power against Japan.

The realist approach provides the greatest flexibility for the GOJ and allows it to increase its security options and pursue a multifaceted approach to security policy. The realist approach is the most comprehensive as it uses aspects of all the other approaches, depending on how well they work to achieve the country's national interests. Because this approach accomplishes the same goals as the others, it is the one most likely to gain consensus among the people and within the government.

Presuming that Japan is most likely to pursue a realist approach as a normal country, the United States can begin now to prepare for the inevitable impact such an approach will have on its force structure in Japan. The most probable request that will come from the GOJ under this approach is the reduction of U.S. Marines from Okinawa. Under such an approach, the government will ultimately request the removal of all U.S. ground combat forces from Japan. U.S. naval and air forces will remain as viable force multipliers to meet Japan's national security objectives.

## **VIII. CONCLUSION**

It is evident, given the evolutionary trends which have occurred in Japan over the past decade, that Japan is well on its way to becoming a normal country with a revised constitution authorizing it to exercise its international right to collective defense. Japan ultimately will revise its constitution. When it does revise or reinterpret Article 9, it will most likely pursue a realist approach towards its foreign and defense policy. This approach will probably require a significant U.S. force withdrawal from Japan. Given these prospects, this chapter evaluates some of the indicators that will reflect Japan becoming a normal country. Additionally, it presents the current debate regarding U.S. force structure in the Asia-Pacific region. It concludes with a recommended approach for the United States toward Japan.

### **A. INDICATORS OF JAPAN AS A NORMAL COUNTRY**

There are a number of specific events or prerequisites that will indicate Japan is becoming a normal country:

- Revision or reinterpretation of Article 9 authorizing collective defense
- Direct election of the prime minister by the people
- The Japanese Defense Agency is re-designated a defense ministry
- Significant economic and political reform with consensus among the parties for collective defense
- Relaxing of laws governing peacekeeping operations
- Increased defense procurement above the current 1% ceiling
- Japan gains a permanent seat on the UN Security Council
- Japan reverses its stance regarding textbooks and acknowledges its war history
- The prime minister is given increased authority over the JSDF
- The central government is given increased authority over the local and prefectural governments during times of emergency



It is important to note that some of the above may or may not come before constitutional revision. Additionally, constitutional revision is not necessarily required for Japan to act as a normal country. However, many would argue that without constitutional revision Japan cannot effectively assume the roles associated with a normal country.

## **B. FORWARD BASING VS. FORWARD PRESENCE DEBATE**

A concept of international relations theory that some advocate as U.S. strategy for the Asia-Pacific region is that of strategic independence and assuming a role as an off-shore balancer. They argue that the price for forward basing and acting as the world's policeman is imperial overstretch as argued by Paul Kennedy, who concludes that imperial overstretch--the mismatch between capabilities and commitments--has been a major factor in the decline of once great powers.<sup>113</sup> Proponents of this approach argue the United States does not have to maintain a large overseas presence to remain engaged in the region and provide stability. Instead, it can maintain the same level of diplomatic and military engagement via the deployment of forces into the region from bases in the United States as required. They also argue that, through the pre-positioning of war reserves and via prearranged agreements with host countries for the use of bases, ports and airfields, the United States could still maintain the ability to return to the region if a major crisis erupted. This theory calls for the nations in the region to resolve their own economic and security dilemmas and for the United States to act as the balancer of last resort rather than the intervener of first resort.

Advocates of this theory call for the complete withdrawal of U.S. forces from Asia.<sup>114</sup>

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<sup>113</sup> Paul Kennedy, *The Rise and Fall of the Great Powers*, Random House, New York, 1987, p. 15.

<sup>114</sup> Ted Galen Carpenter, "Toward Strategic Independence: Protecting Vital American Interests" in *Strategy and Force Planning Third Edition*, edited by Strategy and Force Planning Faculty, The U.S. Naval War College, Newport, RI, 2000, pp.

Realists and those who advocate engagement to prevent instability argue that forward basing is more cost-effective than forward deployment. Because host nations pay the cost of maintaining U.S. forces in country, it becomes cost adverse to relocate them back to the United States or to U.S. territories in Asia. They argue that withdrawal of U.S. forces will only increase instability in the region, sending the wrong message that the United States is not committed to the maintenance of peace and security in the region. They believe that forward basing provides the benefits of staging areas, intelligence-gathering facilities, in-theater training facilities, and close allies with whom to train and exercise. Many analysts believe these benefits to U.S. national security far outweigh the costs associated with strained alliances.<sup>115</sup>

Two major reports that address force structure in Japan are the GAO report, which focuses on the issues associated with U.S. presence on Okinawa, and the 2001 Rand report, which deals with U.S. presence in the region as a whole.

## **1. The GAO Report**

A March 1998 General Accounting Office report analyzed the issues involved with U.S. forces on Okinawa. The general findings of the report were:

- U.S. forces on Okinawa support the U.S. national military strategy to promote peace and stability in the Asia-Pacific region. Forward deployment is necessary to demonstrate a visible commitment by the U.S. to peace and stability in the region.
- The SACO report recommended construction of a sea-based facility to replace Marine Corps Air Station Futenma. This will pose the greatest challenge in implementing the SACO agreement.
- With regard to the sea-based relocation of Futenma, the U.S. and Japan will face: 1) significant costs to acquire and maintain the facility, 2) major technological

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170-176. For analysis of this approach, also see Chalmers Johnson, and E. B. Keehn, "The Pentagons Ossified Strategy" and Doug Bandow, "Old Wine in New Bottles."

<sup>115</sup> For the arguments regarding maintaining U.S. bases in Japan see Paul S. Giarra, "U.S. Bases in Japan: Historical Background and Innovative Approaches to Maintaining Strategic Presence" in Green, Michael and Patrick M. Cronin, *The U.S.-Japan Alliance*, Council on Foreign Relations Press, New York, 1999, pp. 114-138.

challenges, as no sea-based facility of this type and scale has ever been built; and 3) operational complications because the facility planned is insufficient to support all U.S. operating requirements and maintain maximum safety margins, as stated in a Marine Corps study.<sup>116</sup>

## **2. The Rand Report**

The 2001 RAND study “The United States and Asia: Toward a New U.S. Strategy and Force Structure” proposes an approach the United States can take to help preserve stability as the region’s changing security environment changes. It advocates a four-part strategy:

- Complementing its bilateral security alliances to create a broader security framework. This multilateralization could ultimately include Japan, South Korea, Australia, and maybe Singapore, the Philippines, and Thailand.
- Pursuing a balance-of-power strategy among key Asian states that are not part of the U.S. alliance structure, including China, India, and Russia.
- Discouraging the use of force as a means of settling disputes.
- Promoting an inclusive security dialogue among all the states of Asia as a means of discussing regional conflicts, building confidence, and encouraging states to enter into a multilateral framework.<sup>117</sup>

Additionally, the report recommended that U.S. attention shift from Northeast Asia, which already possesses bases, to other sub regions throughout Asia. The United States should seek to solidify existing access arrangements and create new ones with the Philippines, Indonesia, and possibly Vietnam to prepare for potential contingencies in Southeast Asia. It also called for additional steps to build up Guam as a major hub for power projection throughout Asia. In short, the report posits the United States must not focus its presence solely on Northeast Asia. There are other security concerns throughout the Asia-Pacific region, and therefore some U.S. forces should shift to Southeast Asia while still maintaining a deterrent contingent in Korea and reshaping security arrangements with Japan.<sup>118</sup>

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<sup>116</sup> “Overseas Presence” Government Accounting Office, March 1998, pp. 4-8.

<sup>117</sup> “A New U.S. Strategy for a Changing Asia” Rand Research Brief, June 2001, see <<http://www.rand.org/publications/RB/RB68/>

<sup>118</sup> Ibid.

## **2. Bush Administration Prospects**

The current Bush administration is still formulating its foreign and defense policy toward the Asia-Pacific region. However, many analysts anticipate a shift from Europe to a greater focus on the Asia-Pacific region. As the Administration is a strong advocate of national missile defense and pursuit of a revolution in military affairs, it is quite likely the Department of Defense and the White House will call for a reduction in U.S. presence overseas and seek to empower its allies to deal with crisis in the regions. The DoD will use the savings gained from reduced overseas presence to conduct research and development and procure advanced weapons. Many within DoD speculate that the Secretary of Defense will call for a reduced, mobile and more lethal military. Such a policy will have significant ramifications for U.S. force structure overseas.

### **D. RECOMMENDED U.S. APPROACH TOWARD JAPAN**

The United States should not involve itself in the Japanese domestic debate over its constitution and Article 9. However, it should support Japan at the highest level in whatever policy option it chooses. Washington must realize that it cannot expect to remain the “cork in the bottle” without wearing out its welcome. It must come to grips with the fact that the days of the “big brother–little brother” relationship with Japan are rapidly fading. Japan has every right to stand on its own as a legitimate political, economic, and military power and assume a major role in maintaining the peace and security in the Asia Pacific region. It is not a matter whether Japan will revise its constitution but a matter of when and what form it will take.

It is in the U.S. interest to have Japan as a strong political, economic, and military ally capable of operating in a collective security role with the United States. It will allow Japan to assume a greater military role in assisting with the maintenance of peace and stability in the

region. The concern is whether this would erode the U.S.-Japan security alliance. The answer is no. It is not a rational choice for Japan to seek an independent security role, especially given Japan's current economic condition, enormous budget deficit, and rapidly aging society. No existing political parties have the power to gain strong public support for an independent security role that would endanger the alliance with the United States.<sup>119</sup> It is not a strategically sensible choice for Japan to play an independent role in the short and medium term. Japanese defense capabilities are supplementary to U.S. forces in Asia. Additionally, Japan still needs the shelter of the U.S. nuclear umbrella for an effective deterrence policy to function. Even the largest opposition party, the Democratic Party, stresses the importance of the alliance with the United States

Before Japan chooses a policy option with regard to its constitution, Washington and Tokyo should develop and implement a robust public relations campaign toward the other Asian countries explaining why Japan is revising its constitution. This should be conducted similar to what was done when Japan adopted the new defense guidelines when both U.S. and Japanese officials briefed Beijing on the guidelines before signing the agreement.<sup>120</sup> However, should Japan revise its constitution, this same public relations campaign needs to extend to the rest of the nations in Asia. Before Japan revises its constitution, Washington should work with Japan to negotiate a six-party conference with the U.S./PRC/Japan/Taiwan/ROK/DPRK/ and Russia to clearly outline Tokyo's intentions and strategic objectives with regard to revising its constitution.

It is significantly in the U.S. national interest to encourage the revision of Japan's constitution. A fully revised constitution with appropriate checks and balances will ensure the

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<sup>119</sup> Shironitta, p. 4.

<sup>120</sup> For an example of the public relations campaign the U.S. pursued with China prior to signing the defense guidelines see Yoichi Funabashi, *Alliance Adrift*, Council on Foreign Relations Press, New York, 1999, pp. 428-429.

United States will receive the required support outlined in the new defense guidelines and Regional Contingency Security Law, thus ensuring a U.S. ability to respond to any major crisis in the region requiring a sustained presence. It will allow Japan to take a greater role in maintaining peace and security in the region without having to act in concert with the U.S. in every circumstance. This would free the United States to handle its other world commitments. Additionally, it would allow both U.S. and Japanese forces to conduct more realistic training, thus ensuring their ability to operate together and support one another in integrated operations should the need arise.

Based on the most likely approach Japan will take toward becoming a normal country and the impact it could have on U.S. force structure in Japan, it is important for Washington to anticipate potential requests for force reduction and seek ways to revitalize the U.S.–Japan alliance. Fundamental to this is treating Japan as an equal partner. If the United States must draw down forces from Japan, the first units to go most likely will be Marine forces on Okinawa. However, it is critical these forces relocate elsewhere in Asia, preferably to Southeast Asia in accordance with the Rand report. This will help to maintain stability in the region and secure U.S. interests in this part of Asia. It is important to note that because the Marines operate as a Marine air ground team, the units on Okinawa would need to move together. Relocating various Marine units throughout Asia would limit their operational capability. As the U.S. faces potential reduction in forces in Japan, it is critical the U.S. maintain certain bases in Japan. Both Yokosuka and Kadena are critical to the U.S. ability to project power and influence in the region. In the near term it is unlikely that Japan will seek the reduction of U.S. forces from Japan. Therefore, it is in both the U.S. and Japan's interest to take an incremental approach to reducing force presence on Okinawa. This will prevent a power vacuum from occurring in the region and

at the same time reflect U.S. willingness to see Japan assume a greater political and military role in the region.

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